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October 25, 2024

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

PROJECT NAME : Everett Docklands Innovation District and Trimount Energy Storage Facility
 PROJECT MUNICIPALITY : Everett
 PROJECT WATERSHED : Boston Harbor
 EEA NUMBER : 16867
 PROJECT PROPONENT : Everett Landco, LLC and Trimount ESS LLC
 DATE NOTICED IN MONITOR : August 23, 2024

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62L) and Section 11.03 of the MEPA regulations (301 CMR 11.00), this project is subject to the mandatory requirement to prepare an Environmental Impact Report (EIR). In accordance with Section 11.11 of the MEPA regulations, the Proponents submitted an Expanded Environmental Notification Form (EENF) with a request that I grant a Phase 1 Waiver that will allow the Proponents to proceed with construction of the Trimount Energy Storage Facility prior to preparing the Draft Environmental Impact Report (DEIR) for the remainder of the Master Plan project. In a separate Draft Record of Decision (DROD), also issued today, I have proposed to grant the Phase 1 Waiver. A DEIR for the remainder of the Master Plan project (Phase 2)¹ should be filed in accordance with the Scope included in this Certificate.

I received comments from the Cities of Everett and Chelsea, neighboring property owners, and community, environmental and business organizations. Comments acknowledge that remediation of the former fuel oil storage site will have environmental and public health benefits for the surrounding

¹ While the EENF uses the term “Master Plan” to refer to both the full-build development over the entire 86-acre site and Phase 2 only, “Master Plan project” will refer only to the full build development in this Certificate. The EENF indicates that the identified Proponents are Everett Landco, LLC (a Joint Venture led by Davis, in Partnership with Global Partners LP) and Trimount ESS LLC, c/o Jupiter Power LLC, which include the developers of both phases. These entities are referenced collectively as the “Proponents” herein, or individually as the “Phase 2 Proponent” and “Phase 1 Proponent,” respectively, as appropriate.

communities, and recognize the need for battery storage to facilitate the integration of renewable energy sources, including offshore wind, into the electric grid to help meet the Commonwealth's climate goals. Comments note that the proposed Phase 1 energy storage project, which will be located in part in the Mystic River Designated Port Area (DPA), is consistent with the purpose of DPAs as areas where maritime industrial uses are prioritized. I acknowledge the comments received from the Mayor of Everett and others urging for additional analysis of impacts from the project to surrounding Environmental Justice (EJ) populations and the need to identify adequate mitigation. Comments indicate that a Phase 1 Waiver would undermine opportunities for additional public engagement. As detailed below, the DEIR must provide comprehensive analyses of all relevant impacts of Phase 2 and document mitigation measures to be incorporated into the project design. The Phase 1 project does not exceed MEPA review thresholds, and, as further detailed in the DROD, supports the transition to a clean energy grid such that further MEPA review would delay these public benefits.² The Phase 1 Proponent has also indicated its commitment to entering into a Host Community Agreement (HCA) with the City as part of subsequent proceedings before the Department of Public Utilities (DPU), and the community benefits memorialized as part of the HCA will be incorporated as applicable into the Public Benefit Determination (PBD) under M.G.L. c. 91, § 18B that will be issued for the project. A PBD for Phase 1 will be issued within 30 days of this Certificate, and an updated PBD for the Master Plan (Full Build) will be issued upon the conclusion of EIR review for Phase 2. Because of the project's location in proximity to multiple EJ populations, the Scope for the DEIR requires the Proponents to continue to actively engage with the public as the design of the project evolves. A community engagement plan that encompasses all phases of the project will be filed with the DEIR.

Project Description

The Master Plan (Full Build) project involves the phased redevelopment of an 86-acre former fossil fuel storage terminal. Phase 1 includes an energy storage facility on 20.3 acres of the site and a connection to the Eversource 250 substation by two electric circuits in an underground conduit. The Master Plan (including Phase 1) will include construction of approximately 7.2 million square feet (sf) of residential, commercial and industrial uses over the project site, with Phase 2 involving redevelopment of the 65.6-acre portion of the site outside of the Phase 1 area. The energy storage facility, known as the Trimount Energy Storage Facility, and the rest of the Master Plan project are proposed by different entities on land under the ownership of the Phase 2 Proponent; however, because the energy storage facility is the first phase of a larger Master Plan development plan, the two phases are being reviewed jointly as part of this MEPA review.

The site is currently undergoing remediation pursuant to the Massachusetts Contingency Plan (MCP), M.G.L. c. 21E, including removal of structures formerly used for fossil fuel storage, remediation of soil and groundwater, and placement of fill to cap the site. According to the EENF, remediation activities are not subject to any Agency Actions triggering MEPA review, and, therefore, are proceeding independently of this review. The EENF defines "existing conditions" for the Master Plan development as those anticipated after the placement of fill on the site. According to the EENF, remediation of the site will require placement of approximately 700,000 cubic yards (cy) to fill and cap the site. Upon completion of filling in connection with remediation of the site, elevations will range from

² I note that the Healey-Driscoll Administration has established a first-in-the-nation Office of Energy Transformation, which is currently leading a stakeholder process in Everett to guide the transition to clean energy in this region. See <https://www.mass.gov/news/healey-driscoll-administration-establishes-nations-first-office-of-energy-transformation> & <https://www.mass.gov/news/healey-driscoll-office-of-energy-transformation-announces-advisory-board-and-focus-on-peaker-plants-everett-lng-terminal-and-affordability>.

approximately 10.5 ft to 10.7 ft NAVD 88 at the northern part of the site to 14 ft to 20.5 ft NAVD 88 adjacent to and south of Beacham Street. As discussed below, these elevations reflect both the minimum requirements to meet public health standards under the MCP and additional elevations to build resiliency to future climate conditions. The EENF indicates that the MCP allows for such added resiliency as part of the remediation process, but the precise elevations that are required and/or will be authorized under the MCP process are not specified. As the added elevation could impact floodplain functions on the site, further assessment of off-site flood impacts should be provided as part of the Phase 2 DEIR in accordance with the Scope.

Phase 1

According to the EENF, the Commonwealth has adopted ambitious targets to achieve net zero statewide greenhouse gas emissions by 2050. To meet these goals, the electric grid must rely principally or exclusively on offshore wind and other intermittent renewable resources such as solar energy. This reliance on intermittent renewable resources in turn requires significant battery energy storage deployment to reliably meet electric grid demands. According to the EENF, electric sector decarbonization goals and battery energy storage deployment are inextricably linked.

Phase 1 of the project consists of the construction of an approximately 700-megawatt (MW) battery energy storage system (BESS) (Trimount Energy Storage Facility) on an approximately 20.4-acre portion of the site. According to the EENF, the facility will store excess high-voltage electricity produced when spikes occur at renewable energy generating facilities and at times when demand is lower than the available electricity. Energy stored at the facility will then be released to the grid at times of high demand via an underground transmission cable (“Gen-Tie”) connected to Eversource Substation 250. The Gen-Tie component of Phase 1 will be authorized by the Department of Utilities (DPU) pursuant to a Petition for Authority to Construct and Use a Line for the Transmission of Electricity under M.G.L. 164, § 72.³

The facility will include two sections, one located north of Beacham Street and the other south of Beacham Street. It will include two open-air substations, both of which will cover an area of approximately 90,000 sf (2.1 acres); a 5,000-sf warehouse building for storage of equipment; an 800-sf office building for personnel operating the facility; battery cells grouped together in containers; power control system units; and inverters. Each section will be surrounded by a 2-ft thick wall ranging in height from 10 feet to 40 feet. The BESS will be linked to the Eversource Substation 250 on Alford Street in Boston via two electrical circuits in a 2,900-ft long underground conduit. The conduit will be constructed under existing streets along a route following Beacham Street, Dexter Street, Robin Street, and Alford Street.

Phase 2

Phase 2 of the Master Plan project involves the redevelopment of the 65.6-acre portion of the site outside of the Phase 1 area with a combined total development of approximately 7.19 million sf of mixed uses over the entire project site. Phase 2 will include 3,300,000 sf of lab/office space, 2,815,000

³ Under jurisdictional rulings issued by the Energy Facilities Siting Board (EFSB) in Cranberry Point Energy Storage, LLC, EFSB 21-02 (May 11, 2023) and Medway Grid, LLC, EFSB 22-02 (May 11, 2023), battery energy storage is no longer considered a “generating unit” for purposes of triggering EFSB jurisdiction. Accordingly, Phase 1 also does not trigger MEPA review thresholds related to electric generating facilities under 301 CMR 11.03(7)(a)1. & (7)(b)1.

sf of residential space (3,200 residential units), 400,000 sf of industrial space, 400,000 sf of high-tech manufacturing space, 240,000 sf of retail space, and 36,000 sf of maker space. According to the EENF, Phase 2 will be designed to include recreational space, community amenities, pedestrian- and bicyclist-friendly streets, and enhanced transit links. While Phase 2 was described conceptually in the EENF, as detailed below, a more detailed description of the project, its impacts, and proposed mitigation measures must be provided in the DEIR.

Project Site

The 86-acre project site is located in southeastern Everett. It is bordered to the east by industrial uses in Everett and Chelsea, to the north by active and non-active railroad tracks, to the west by residential and industrial uses, and to the south by industrial uses.

The site is the former Exxon Mobil Terminal, which consisted of fuel oil and asphalt stored in tanks throughout the property. The site is regulated under M.G.L. c. 21E MCP Regulations at 310 CMR 40.00 and has been assigned Release Tracking Number (RTN) 3-0000310. It is currently undergoing remediation to address soil and groundwater contamination associated with the former use of the site.

Approximately 25% of the project site consists of filled tidelands. The majority of the area of filled tidelands is located north of Beacham Street and considered landlocked tidelands and not subject to licensing pursuant to 310 CMR 9.00. The portions of the project located south of Beacham Street and east of Robin Street are located within the Mystic River Designated Port Area (DPA). Approximately 0.53 acres of filled tidelands located on the southern portion of the Phase 1 site are not considered landlocked and are subject to licensing by MassDEP.

As shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate (FIRM) maps numbers 25017C0439E and 25017C0443E (both maps effective June 4, 2010), most of the project site is not located within the 100-year floodplain; however, a portion of Alford Street in Boston through which a 340-lf portion of the Gen-Tie connection will be constructed is currently shown to be within the 100-year floodplain (Zone AE) with a Base Flood Elevation (BFE) of 10 feet above North American Vertical Datum (NAVD 88). According to the EENF, and as confirmed by the Water Resources Commission (WRC), FEMA released preliminary FIRMs that show a revised delineation of the 100-year floodplain on the site. As depicted on the revised FIRMs, most of the Phase 2 site north of Beecham Street is within a Zone AE with a BFE of 10 ft NAVD 88. The revised maps show a change in the Zone AE along Alford Street such that the proposed Gen-Tie route does not pass through the floodplain. According to the WRC, the revised maps are expected to take effect next year. Because the proposed fill will elevate the site to a minimum of 10.7 ft NAVD 88, no portion of the site will be within the present-day 100-year floodplain upon completion of remediation. As discussed below, because the proposed fill in the Phase 2 site nonetheless may affect current floodplain functions (e.g., by potentially displacing flood water onto adjacent properties), further assessment of off-site flood impacts is warranted in the DEIR.

A portion of the Master Plan site (Phase 2) is located within an Environmental Justice (“EJ”) population designated as Minority. The site is within one mile of 54 additional EJ populations in Boston, Chelsea, Everett, Malden, Medford, and Somerville. The site is within five miles of 543 additional EJ populations designated as Minority; Income; English Isolation; Minority and Income; Minority and English Isolation; Income and English Isolation; and Minority, Income, and English Isolation. The EENF asserted that the Master Plan project will not generate over 150 new daily diesel-generated vehicular trips (from truck traffic) and therefore

the Designated Geographic Area (DGA) is 1 mile; however, during the review period, the Proponents indicated that Phase 2 will generate approximately 426 New truck trips per day and that the DGA is 5 miles.

Environmental Impacts and Mitigation

Potential environmental impacts associated with the Master Plan (Full Build) project include generation of 63,022 unadjusted average daily trips (adt), including 62,474 New unadjusted adt; construction of 5,716 parking spaces, including 5,588 New spaces; use of 0.53 acres of filled tidelands subject to c. 91 licensing; use of 1,168,000 gallons per day (gpd) of water; and generation of 1,062,000 gpd of wastewater. Of these impacts, the following are associated with Phase 1: use of 0.53 acres of filled tidelands subject to c. 91 licensing by MassDEP; generation of 12 adt; use 413 gpd of water; and generation of 375 gpd of wastewater. According to the EENF, upon completion of the Master Plan project, impervious area will be reduced by 4.76 acres compared to pre-remediation conditions. The EENF indicated that an approximately 340 linear foot section of the Gen-Tie cable would be located in LSCSF based on the FIRMs currently in effect. The Proponents have submitted a Request for a Determination of Applicability to the Boston Conservation Commission to determine the need for permitting of that section of the Gen-Tie. However, as noted above, no part of the Gen-Tie route will be located in the floodplain based on the revised FIRMs.

Phase 1 will provide battery storage infrastructure to facilitate the incorporation of renewable energy from wind and other sources into the electric grid, and will minimize potential human exposure to contaminants on the site by remediating soil and groundwater. Measures to further avoid, minimize, and mitigate the environmental impacts of Phase 1 include landscaping around the perimeter of the facility, a new stormwater management system that will meet the Massachusetts Stormwater Management Standards (SMS), a facility design that meets the all fire safety codes, including National Fire Protection Association (NFPA) Standard 855: Standard for the Installation of Stationary Energy Storage Systems; the use of sound barriers and equipment silencers to minimize off-site noise impacts of the facility; and implementation of construction-period measures to minimize traffic, noise, air quality, and water quality impacts. According to the EENF, the Proponent of Phase 1 has committed to developing a Host Community Agreement with the City of Everett that will detail additional community benefits. The DEIR should identify all mitigation measures proposed for the Master Plan project, including any additional mitigation and community benefits identified for Phase 1 after the issuance of the Phase 1 Waiver.

Jurisdiction and Permitting

The project is subject to MEPA review and preparation of mandatory EIR pursuant to MEPA regulations (301 CMR 11.00) because it requires an Agency Action and exceeds the EIR thresholds at 301 CMR 11.03(6)(a)(6), generation of 3,000 or more New adt on roadways providing access to a single location, and 301 CMR 11.03(6)(a)(7), construction of 1,000 or more parking spaces at a single location. Phase 1 does not by itself meet or exceed any MEPA review thresholds.

Phase 1 requires a M.G.L. Chapter 91 License from the Massachusetts Department of Environmental Protection (MassDEP), an 8(m) Permit from the Massachusetts Water Resources Authority (MWRA), and a M.G.L. c. 164, § 72 (“Section 72”) Order Approving New Transmission Lines and a Comprehensive Zoning Exemption under M.G.L. c. 40A, § 3 from the Department of Public Utilities (DPU). Phase 2 requires a Vehicular Access Permit from the Massachusetts Department of

Transportation (MassDOT) and an 8(m) Permit and Toxic Reduction and Control (TRAC) Permit from the MWRA. The Master Plan project requires a Public Benefit Determination (PBD) from the EEA Secretary and is subject to the MEPA Greenhouse Gas (GHG) Policy.

The Everett Conservation Commission issued an Order of Conditions (OOC; DEP File No. 022-0139) on June 20, 2024 for the placement of fill associated with remediation of the site. Phase 1 is anticipated to result in a Host Community Agreement, a Payment in Lieu of Taxes (PILOT) Agreement, and a Grant of Location for electric transmission line in a public right-of-way from the City of Everett;⁴ a Subdivision Approval/ANR Endorsement from the Everett Planning Board; a Flammables Storage Permit from the Everett Fire Department; a Grant of Location for electric transmission line in a public right-of-way from the City of Boston Public Improvement Commission;⁵ and a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the U.S. Environmental Protection Agency (EPA). The Master Plan project requires zoning approvals from the City of Everett; a Subdivision Approval/ANR Endorsement, Master Plan Special Permit, and Site Plan Approvals from the Everett Planning Board; a Sewer Connection/Use Permit from the Everett Sewer Department; and an NPDES CGP from the EPA.⁶

The Master Plan project will seek Financial Assistance from the Commonwealth. In addition, Phase 1 requires a c. 91 License and DPU approvals, both of which are functionally equivalent to full scope MEPA jurisdiction. Therefore, MEPA jurisdiction is broad in scope and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

Waiver Request

The Proponents submitted an EENF for the project with a request for a Waiver allowing MEPA review of Phase 1 to be concluded prior to preparation of an EIR for remaining phases of development. The EENF described how the project meets the Waiver criteria outlined in 301 CMR 11.11 and the EENF was subject to an extended comment period, as required by 301 CMR 11.15(5).

The MEPA regulations at 301 CMR 11.11(1) state that I may waive any provision or requirement in 301 CMR 11.00 not specifically required by MEPA and may impose appropriate and relevant conditions or restrictions, provided that I find that strict compliance with the provision or requirement would:

- (a) result in an undue hardship for the Proponents, unless based on delay in compliance by the Proponents; and
- (b) not serve to avoid or minimize Damage to the Environment.

⁴ According to correspondence received from Gareth Orsmond, Pierce Atwood, on October 24, 2024, the Grant of Location was approved by the Everett City Council on October 15, 2024.

⁵ According to correspondence received from Gareth Orsmond, Pierce Atwood, on October 24, 2024, the Grant of Location was approved by the Boston Public Improvement Commission on August 22, 2024.

⁶ According to correspondence received from Stephanie Krue, VHB, on October 24, 2024, the Everett City Council approved certain amendments to Everett zoning ordinances on October 15, 2024; these amendments acknowledge battery storage as an allowable use on the Master Plan site. While one or more special permits and site plan approvals are still required for Phase 2 to proceed, correspondence from Gareth Orsmond, Pierce Atwood, indicates that the Phase 1 project will not be seeking such permits and approvals as it intends to seek a comprehensive zoning exemption from the DPU.

As stated in 301 CMR 11.11(4), in the case of a partial waiver of a mandatory EIR review threshold that will allow the proponents to proceed with Phase 1 of the project prior to preparing an EIR, I shall base the finding required in accordance with 301 CMR 11.11(1)(b) on a determination that:

- (a) the potential environmental impacts of Phase 1, taken alone, are insignificant;
- (b) ample and unconstrained infrastructure facilities and services exist to support Phase 1;
- (c) the project is severable, such that Phase 1 does not require the implementation of any other future phase of the project or restrict the means by which potential environmental impacts from any other phase of the project may be avoided, minimized or mitigated; **and**
- (d) the agency action(s) on Phase 1 will contain terms such as a condition or restriction, so as to ensure due compliance with MEPA and 301 CMR 11.00 prior to commencement of any other phase of the project.

For the reasons stated in the DROD, which is issued concurrently with this Certificate, I propose to grant the Phase 1 Waiver. Comment letters from state agencies support the Waiver request and indicate that issues raised during this MEPA review can be addressed during the permitting process.

Review of the EENF/Phase 1

The EENF provided a detailed description of existing and proposed conditions in Phase 1 and an analysis of the Phase 1 Waiver criteria. It conceptually described the development sites and proposed uses for the Master Plan project. Phase 1 is reviewed below. Information provided in the EENF regarding the Master Plan project, and the additional information about Phase 2 to be included in the DEIR, is provided in the Scope.

Review of Phase 1

For Phase 1, the EENF included a project description, an alternatives analysis, plans of existing and proposed conditions, a copy of the c. 91 Determination of Applicability issued by MassDEP on March 8, 2024, a stormwater report, and drfat section 61 findings. It reviewed the project's impacts and identified measures to avoid, minimize, and mitigate impacts. As noted above, operation of the Phase 1 BESS will generate 12 adt, use 413 gpd of water, and generate 375 gpd of wastewater; the EENF did not include a transportation analysis or provide details of water and sewer system use due to the limited nature of these impacts.

Consistent with the MEPA Interim Protocol on Climate Change Adaptation and Resiliency, the filing contained an output report from the MA Climate Resilience Design Standards Tool prepared by the Resilient Massachusetts Action Team (RMAT) (the "MA Resilience Design Tool"), together with information on climate resilience strategies to be undertaken by the project. It also included a description of measures taken to enhance public involvement by EJ populations and a baseline assessment of any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ populations in accordance with 301 CMR 11.07(6)(n)(1). During the review period, the Proponents provided additional information regarding the number of diesel truck trips generated by the project and a supplemental description of project alternatives. For purposes of clarity, all supplemental materials provided by the Proponents are included in references to the "EENF."

Alternatives Analysis

According to the EENF, Phase 1 will help the Commonwealth meet its goal of reducing GHG emissions by 50% by 2030 and carbon neutrality by 2050 because it will provide storage for power produced by offshore wind. Renewable energy resources, including offshore wind, are intermittent sources that may generate power during off-peak times when there is low demand. The proposed BESS will store electricity generated by offshore wind so that it can be delivered to the grid when needed. As summarized in the EENF, the Independent System Operator-New England (ISO-NE), which operates New England's energy grid, conducted a resource integration study that determined direct transmission from offshore wind farms to the Boston area is needed due to transmission constraints on Cape Cod. The Eversource Substation 250 was identified as among the most suitable interconnection locations for offshore wind power into the Boston area because it has the required input and output capacity to handle approximately 700 MW (or more) to be delivered from an offshore wind energy project.⁷

The EENF evaluated a No Build Alternative and three Build Alternatives, including the proposed Phase 1 project (Preferred Alternative). According to the EENF, the No Build Alternative would leave the Phase 1 site in its post-remediation condition with no planned uses; this alternative does not meet the project goal. Off-site Alternative 1 would involve construction of a BESS and associated infrastructure on a 5-acre site on filled tidelands bordering the Malden River in Everett and Medford. A facility at this location would have a storage capacity of 400 MW and would connect to Eversource Substation 250 via an approximately 7,100-lf (1.3 miles) underground electric duct bank within existing rights-of-way. According to the EENF, the Off-site Alternative 1 site would provide a feasible connection to the Eversource 250 Substation, but the site is not large enough to support a 700 MW BESS, and the City of Everett determined that the location would be inconsistent with plans for the neighborhood. Off-site Alternative 2 would include a BESS and associated infrastructure at a site in Charlestown. A substation and support building would be constructed on a 1.25-acre parcel of land comprised of filled tidelands and a 400-MW BESS would be located on a 2.8-acre pile-held floating barge. An electric duct bank would be constructed under the Mystic River to connect the facility to Eversource Substation 250. Approximately 98,000 cubic yards of sediment would have to be dredged from the Mystic River to provide sufficient draft for the barge. According to the EENF, the Off-site Alternative 2 location is available to be used, but it is too small to accommodate a 700 MW BESS and would impact approximately 3 acres of river bottom (Land Under the Ocean) from dredging and duct bank installation.

The Preferred Alternative meets the project goals because the site is of sufficient size to accommodate a 700 MW BESS within proximity to Eversource Substation 250. According to MassDEP, and as detailed below, the proposed uses in Phase 1 are consistent with water-dependent industrial uses and compatible with the location of the site within the Mystic River DPA. As detailed below, the project will include mitigation measures to minimize noise, fire safety risk, and water quality, and will be designed to be resilient to future climate conditions befitting the importance of the facility to incorporating renewable energy sources into the electric grid. The Phase 1 Proponent has committed to develop a Host Community Agreement with the City of Everett and implement ongoing measures to inform the public about the project, including EJ populations in the DGA.

⁷ I note that page 31 of the EENF cites to a [ISO-NE's Cape Cod Integration Study](#), which references a potential 1,200 MW off-shore wind connection to Mystic Station in Boston/Everett. Nonetheless, the Alternatives Analysis uses 700 MW as the capacity of the BESS for which various locations were considered as described above.

As indicated in the Scope, a comprehensive alternatives analysis related to Phase 2 of the Master Plan will be provided in the DEIR.

Environmental Justice / Public Health

As noted above, a portion of the Master Plan site (Phase 2) is located within an EJ population designated as Minority. Both Phase 1 and the full Master Plan site are within one mile of 54 additional EJ populations in Boston, Chelsea, Everett, Malden, Medford, and Somerville, and within five miles of 543 additional EJ populations designated as Minority; Income; English Isolation; Minority and Income; Minority and English Isolation; Income and English Isolation; and Minority, Income, and English Isolation. Within the census tracts containing the above EJ populations within 1 mile of the project site, Arabic, Chinese, Spanish, Spanish Creole, French Creole, Portuguese, and Portugues Creole are identified by the EEA EJ Mapping Tool as languages spoken by 5% or more of residents who also identify as not speaking English very well.

Effective January 1, 2022, all new projects in “Designated Geographic Areas” (“DGA,” as defined in 301 CMR 11.02, as amended) around EJ populations are subject to new requirements imposed by the Chapter 8 of the Acts of 2021: An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy (the “Climate Roadmap Map”) and amended MEPA regulations at 301 CMR 11.00. Two related MEPA protocols—the MEPA Public Involvement Protocol for Environmental Justice populations (the “MEPA EJ Public Involvement Protocol”) and MEPA Interim Protocol for Analysis of project Impacts on Environmental Justice populations (the “MEPA Interim Protocol for Analysis of EJ Impacts”)—are also in effect for new projects filed on or after January 1, 2022. Under the new regulations and protocols, all projects located in a DGA around one or more EJ populations must take steps to enhance public involvement opportunities for EJ populations, and must submit analysis of impacts to such EJ populations in the form of an EIR.

The EENF asserted that the Master Plan project will not generate over 150 new daily diesel-generated vehicular trips (from truck traffic) and therefore the DGA is 1 mile; however, during the review period, the Proponents indicated that Phase 2 will generate approximately 426 New truck trips per day. Accordingly, the DGA for the project is now identified as 5 miles; however, given that Phase 1 itself will not generate significant truck traffic, engagement activities occurred over a 1 mile radius. Further engagement and analysis of impacts over a 5-mile radius will be conducted for Phase 2, and fully analyzed in the DEIR.

Public Engagement

The EENF described public involvement activities conducted prior to filing and planned ongoing community outreach for Phase 1 and Phase 2 (which is described in the Scope). The Phase 1 Proponent maintains a project website (www.trimountenergy.com) which includes community information in Spanish, Portuguese, and Haitian Creole. Since November 2021, but primarily in 2024, the Proponent held nine meetings with Community Based Organizations (CBOs), including local organizations such as the Mystic River Watershed Association, Everett Community Growers, La Comunidad, and Chelsea GreenRoots. According to the EENF, the purpose of the meetings was to describe Phase 1, to seek the assistance of these organizations in identifying additional community groups with which the Proponents should engage, and to learn what concerns residents may have about Phase 1. According to the EENF, representatives of La Comunidad and Everett Community Growers recommended that additional greenery be planted around the proposed Phase 1 project site and that space for public art be provided;

these recommendations have been incorporated into the project design and were shown on the project plans displayed at the community open houses discussed below.

The Phase 1 Proponent held two community open houses on July 16 and 17, 2024 from 6:00 PM to 9:00 PM at the Connelly House in Everett. The open houses were publicized through mailings to approximately 2,000 people within 0.75 miles of the site and an additional 4,000 people outside of the 0.75-mile radius; sending digital mailers to approximately 50 people who had shown an interest in Phase 1; posting flyers that were posted at Everett City Hall, the Everett Public Library, and the Connelly Center; placing door hangers at homes in the two residential neighborhoods closest to the site one week prior to the open houses; and through the placement of an article in the July 11, 2024 edition of the Everett Leader Herald. All printed mailers were translated into Spanish, and digital mailers were sent in Spanish, Portuguese, and Haitian Creole. Written information at the open houses was provided in Spanish, Portuguese, and Haitian Creole, and interpreters in these languages were present at both open house events; according to the EENF, one person and family group used the Haitian Creole interpreter, but other interpreters were not used.

Prior to filing the EENF, notification of the project was circulated in the form of an EJ Screening Form to the “EJ Reference List” provided by the MEPA Office and consisting of CBOs and tribes/indigenous organizations. An in-person site visit and hybrid (in-person and virtual options) MEPA Consultation Session for the Master Plan project were held starting at 5:00 PM on Tuesday, September 17, 2024 (during the MEPA review period). A notice of the Consultation Session was provided in Chinese, Portuguese, Spanish, Haitian Creole, and Arabic to the list of CBOs, and oral interpretation was offered upon request (no such requests were received). Representatives of the City of Everett and several community groups attended the Consultation Session.

The Phase 1 Proponent intends to continue to engage with the public by updating the project website to provide current information and notice of public informational events; posting fact sheets in Arabic, Chinese, Haitian Creole, Portuguese, and Spanish; providing interpreters at public events, upon request; holding additional community meetings targeted to the general public and EJ populations or as requested by community groups; and by continuing outreach through mailings, door hangers, and ads in local media. As indicated in the Scope, both Proponents should develop a written community engagement plan for all phases of the project, and attach it as a stand-alone document for public comment in the DEIR. The community engagement plan should set forth both a summary of activities conducted to date (including ongoing activities for the Phase 1 project) and a proposed plan for how the Proponents intend to conduct future activities to meaningfully engage surrounding communities. The Proponents are encouraged to consult with MEPA and the EEA EJ Office for further guidance and input on public engagement strategies.

Baseline Conditions Assessment

The EENF contained a baseline assessment of any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ populations in accordance with 301 CMR 11.07(6)(n)1. and the MEPA Interim Protocol for Analysis of EJ Impacts. The baseline assessment included a review of the data provided by the Department of Public Health (DPH) EJ Tool regarding “vulnerable health EJ criteria”; this term is defined in the DPH EJ Tool to include any one of four environmentally related health indicators that are

measured to be 110% above statewide rates based on a five-year rolling average.⁸ According to the EENF, the data surveyed indicate that the City of Everett met the criteria for heat attack hospitalizations and childhood asthma; the City of Somerville meets the criterion for childhood asthma; the City of Chelsea meets the criteria for childhood blood lead, childhood asthma, heart attack hospitalizations, and low birth weight; the City of Boston meets the criteria for childhood asthma and low birth weight; and the City of Malden meets the criteria for low birth weight, childhood asthma, heart attack hospitalizations, and childhood blood lead. Several census tracts within 1 mile of the site meet the criteria for childhood blood lead and low birth weight.

The EENF indicated that the following sources of potential pollution exist within 1 mile, based on data available in the DPH EJ Tool:

- Large Quantity Toxic Users: 5
- Large Quantity Generators: 22
- MassDEP tier Classified 21E sites: 28
- “Tier II” toxics use reporting facilities: 32
- MassDEP Sites with Activity and Use Limitations (AULs): 97
- Public Water Suppliers: 1
- Wastewater Treatment Plants: 4
- Underground storage tanks: 20
- EPA facilities: 29
- Transportation Infrastructure: Several major roadways, MBTA bus and subway services, and rail tracks are located in the DGA.
- Energy generation and supply facilities: 4

According to the output report from the MA Resilience Design Tool included in the EENF, the Phase 1 site has a high exposure to urban flooding due to extreme precipitation and to extreme heat, and moderate exposure to sea level rise/storm surge; the entire Master Plan site also has high exposure to all three of these climate risks. EJ populations near the site are likely also exposed to these climate risks.

Although not required by the MEPA Interim Protocol for Analysis of EJ Impacts, the EENF surveyed environmental indicators tracked through the U.S. EPA’s “EJ Screen,” which compares the indicators by U.S. census block to the MA statewide average. According to the EJ Screen results, the following indicators exceed the 80th percentile within 1 mile of the project site: NATA Diesel PM; Traffic Proximity; RMP Proximity; Hazardous Waste Proximity; Underground Storage Tanks; and Wastewater Discharge. However, this information represents the weighted average conditions within the one-mile radius, which does not capture more localized environmental risks potentially present within each of the 54 EJ populations. The DEIR should identify any individual census block group that exceeds the 80th percentile of an environmental indicator within a one-mile radius of the site and along the anticipated truck routes within a five-mile radius.

⁸ See <https://matracking.ehs.state.ma.us/Environmental-Data/ej-vulnerable-health/environmental-justice.html>. Four vulnerable health EJ criteria are tracked in the DPH EJ Viewer, which are tracked on a municipal level. Two indicators (childhood blood lead, and low birth weight) are also tracked on a census tract level.

Project Impacts

While the above indicators show some evidence of an existing “unfair or inequitable” burden impacting the identified EJ populations, the EENF asserted that Phase 1 will not have disproportionate adverse effects on EJ populations. Phase 1 will generate minimal traffic and air emissions. The Phase 1 project includes measures to minimize potential off-site flooding under existing and future climate conditions, including reducing impervious area by approximately 4 acres compared to pre-remediation conditions and construction of a new stormwater management system that will meet the MassDEP Stormwater Management Standard and manage stormwater runoff from the 2070 50-year storm event. The project will minimize urban heat island effects by reducing impervious area, and planting trees and other vegetation.

Noise generated by the facility will be minimized by the use of mufflers, noise barriers, and the use of equipment that minimizes operational noise such that no residential area around the site will experience an increase in noise levels of 9 decibels or more. In addition, the proposed battery storage facility will be designed to minimize potential risks of fire hazards. It will be designed in full compliance with all fire safety codes and standards, including NFPA 855: Standard for the Installation of Stationary Energy Storage Systems. The Proponents will design the site in collaboration with the Everett Fire Department, which will receive an Emergency Response Plan and training to respond to a thermal event. Specific measures that will be taken to avoid, minimize or mitigate thermal risk associated with battery storage include internal monitoring systems that measure the voltage and temperature of each cell, disabling the battery in the event a rise in temperature or voltage is detected; the batteries are housed within enclosures designed to protect them from physical damage; battery enclosures will comply with spacing guidelines informed by large-scale fire testing provided by manufacturers to reduce the likelihood of a fire spreading between containers. In the unlikely event of a fire, sprinkler systems will be activated that have sufficient cooling capacity to protect the structure and prevent fire propagation to enclosures above and adjacent.

While, as indicated in the EENF, Phase 1 does not present the types of traditional impacts (wetlands, land alteration, rare species, etc) as reflected in MEPA review thresholds, I note that the communities in this area, which include multiple EJ populations, have hosted multiple energy facilities and other polluting sources for many decades, as demonstrated by mapping layers in the DPH EJ Tool (e.g., high number of c. 21E sites, toxics use reporting facilities, EPA-regulated and energy facilities) and EPA EJ Screen (e.g., RMP Proximity; Hazardous Waste Proximity; Underground Storage Tanks). Efforts to remediate and redevelop the Master Plan site present opportunities to consider the cumulative impact of historical and current activities on surrounding communities and to consider a more equitable allocation of environmental burdens and benefits so as to support Environmental Justice Principles as defined in 301 CMR 11.02. Phase 1 also offers the opportunity to transition the region to cleaner energy through anticipated storage and deployment of proximate off-shore wind resources in a manner consistent with existing DPA designation. The Proponent is encouraged to capitalize on this opportunity to consider a robust community benefits proposal to mitigate the impacts of the Master Plan project as a whole and to improve existing environmental and public health conditions in the surrounding communities.

The EENF indicates that the project will benefit EJ populations and the public at large by supporting the integration of renewable energy sources into the electric grid, which will reduce air emissions, and by remediating hazardous soil and groundwater conditions at the site. In addition, in connection with upcoming DPU proceedings, the City of Everett and the Phase 1 Proponent are expected

to develop a Host Community Agreement that will detail community benefits. These benefits will be included as applicable in a Public Benefit Determination (PBD) under M.G.L. c. 91, § 18B to be issued for the Master Plan project. A PBD for Phase 1 will be issued within 30 days, and an updated PBD will be issued for the Master Plan project upon conclusion of EIR review for Phase 2. Further analysis of project impacts and mitigation for Phase 2, including for surrounding EJ populations, will be included in the DEIR.

Waterways

Approximately 0.53 acres of the Phase 1 site consists of filled tidelands. The EENF included a copy of the license to fill the site issued by the WRP's predecessor agency, the Harbor and Land Commission) on July 19, 1898 (License No. 2162). The EENF included a Jurisdictional Determination (No. WW04-0000027) issued by the MassDEP Waterways Regulation Program (WRP) on March 8, 2024, which confirmed the location of the historic high water mark on the site and determined that the tidelands are subject to the WRP's licensing authority because they are located within the DPA and are not landlocked. While not making a formal finding of water-dependency, the Jurisdictional Determination noted that the proposed uses of the BESS, Gen-Tie, and associated structures in Phase 1 are consistent with the water dependent-industrial uses as defined at 310 CMR 9.12(2)(b)(9) (offshore renewable energy infrastructure facilities) and 310 CMR 9.12(2)(b)(10) (infrastructure facilities used to deliver electricity and other services to the public from an offshore facility). The EENF reviewed the applicable regulatory standards for water-dependent industrial use projects, including requirements that the project: comply with all other permitting programs and zoning; not significantly interfere with the public's right to use tidelands or with the operation of other water-dependent industrial uses; be constructed in accordance with all applicable engineering and construction standards. According to MassDEP, the project appears to comply with the applicable standards. Several commenters questioned whether the project meets both, or either, of the definitions for water-dependency cited above. The MassDEP WRP will make a formal finding of water-dependency and confirm that the project meets all applicable standards during licensing of the project.

The EENF also identified two Phase 1-related activities on tidelands that will not require a c. 91 license. A Minor Project Modification was issued by the WRP on March 19, 2024, which authorized the removal of fill and structures on tidelands associated with formerly-used storage tanks. According to the EENF, depending on the final route of the Gen-Tie, a small portion of that structure may be located in filled tidelands; however, according to the WRP, that portion of the Gen-Tie would be authorized as a Minor Project Modification.⁹

Public Benefit Determination

The Master Plan project proposes activities within filled tidelands which are subject to the provisions of *An Act Relative to Licensing Requirements for Certain Tidelands* (2007 Mass. Acts ch. 168), now codified at M.G.L. c. 91, § 18B, and the Public Benefit Determination regulations (301 CMR 13.00). Consistent with these provisions, I must conduct a Public Benefit Review as part of the review of EIR projects located on tidelands.

M.G.L. c. 91, § 18B(b) states the following regarding the Public Benefit Determination:

⁹ According to correspondence received from Gareth Orsmond, Pierce Atwood, on October 24, 2024, the Minor Project Modification was issued on October 22, 2024.

“In making said public benefit determination, the secretary shall consider the purpose and effect of the development; the impact on abutters and the surrounding community; enhancement to the property; benefits to the public trust rights in tidelands or other associated rights, including, but not limited to, benefits provided through previously obtained municipal permits; community activities on the development site; environmental protection and preservation; public health and safety; and the general welfare; provided further, that the secretary shall also consider the differences between tidelands, landlocked tidelands and great pond lands when assessing the public benefit and shall consider the practical impact of the public benefit on the development.”

Under 301 CMR 13.03(1), “the public shall have the opportunity during the MEPA public comment period(s) to comment on whether the project provides a public benefit, and the proponent shall have the opportunity to submit additional information during the MEPA process.”

According to the PBD regulations at 301 CMR 13.00, water-dependent use projects are presumed to provide a public benefit. During the review period, the Proponents identified the following public benefits associated with Phase 1:

- The project will replace old fossil-fuel based infrastructure with cleaner, sustainable energy infrastructure
- The facility will store energy produced from renewable sources so that it can be transmitted to the electrical grid
- The project will protect public health by remediating contaminated soil and groundwater
- The project will enhance the property by providing improvements to the streetscape, landscaping, appearance, functionality, stormwater management system and resiliency
- The Proponent will enter into a Host Community Agreement with the City of Everett that will identify additional benefits

In accordance with 301 CMR 13.03(4), a PBD for Phase 1 will be issued within 30 days of the issuance of the Phase 1 Waiver. As noted below, an updated PBD for the Master Plan project will be issued after completion of MEPA review of Phase 2.

Wetlands and Stormwater

As noted above, neither the Phase 1 nor Phase 2 sites are located within the 100-year floodplain based on FEMA mapping currently in effect. Revised flood maps prepared by FEMA will take effect next year. The revised maps show that much of the Phase 2 area north of Beacham Street will be located within the revised floodplain delineation, including a small area in the northern part of the Phase 1 site; however, the BFE will remain unchanged at 10 ft NAVD 88. The Everett Conservation Commission issued an Order of Conditions (DEP File No. 022-0139) on June 20, 2024 which approved placement of fill material for the capping of the site as part of its remediation. The fill material will be placed up to and above the BFE of 10 ft NAVD 88. Therefore, no portion of the Master Plan site, including Phase 1, will be located within the 100-year floodplain upon completion of site remediation and prior to construction of proposed structures. As discussed below, the final elevations of the project site will be further elevated to be above projected 2070 flood elevations to add resiliency beyond minimum requirements needed to meet public health standards under the MCP. The EENF indicates that the MCP allows for this added elevation for resiliency, though the precise elevations to be approved through the

MCP process were not identified. As detailed in the Scope, the DEIR should include an analysis of the potential impacts of the proposed fill and project components of Phase 2 on surrounding properties.

An approximately 340-lf section of the Gen-Tie route is located within the 100-year floodplain (as currently defined) on and adjacent to Alford Street in Boston. According to the Proponents, a Request for a Determination of Applicability (RDA) has been submitted to the Boston Conservation Commission to determine whether an Order of Conditions must be filed for the Gen-Tie. However, as noted above, no portion of the Gen-Tie will be located in the 100-year floodplain as depicted on the revised FEMA maps.

Phase 1 will include construction of a stormwater management system that will be designed to comply with the SMS, including requirements for groundwater recharge, removal of at least 80 percent of the Total Suspended Solids (TSS) from runoff and maintenance or reduction of pre-construction peak runoff rates under post-construction conditions for the current 2-, 10-, 25- and 100-year (up to 10 inches of precipitation in 24 hours) storm events. Runoff will be collected and treated through a combination of Best Management Practices (BMPs) consisting of stormwater detention chambers and sand filters as the primary control systems. According to the EENF, stormwater from the proposed stormwater management system will be discharged to the Island End River via drainage infrastructure to be constructed as part of the Master Plan project; however, drainage infrastructure present under existing conditions could be used to convey flows from the stormwater management system. As detailed below, the proposed stormwater management system for Phase 1 will be designed to accommodate future storm events.

Climate Change

Adaptation and Resiliency

Effective October 1, 2021, all MEPA projects are required to submit an output report from the MA Resilience Design Tool to assess the climate risks of the project. Based on the output reports attached to the EENF, the Phase 1 site has a “High” exposure rating based on the project’s location for urban flooding from extreme precipitation and extreme heat, and a “Moderate” exposure rating for sea level rise/storm surge. Based on the 50-year useful life identified for Phase 1 and the self-assessed criticality of the project, the MA Resilience Design Tool recommends a planning horizon of 2070 and a return period associated with a 50-year (2% annual chance) storm event when designing the project for extreme precipitation and a planning horizon of 2070 and a return period associated with the 200-year (0.5% annual chance) storm event when designing the project with respect to sea level rise/storm surge. The Tool recommends planning for the 90th percentile with respect to extreme heat (which indicates an increase in extremely hot days as compared to a historical baseline).

According to the Tool output report, the 2070 1% annual chance water surface elevation is 13.7 ft NAVD 88, the 2070 1% annual chance wave action elevation is 14.8 ft NAVD 88, and the 2070 0.5% annual chance wave action elevation is 15.4 ft NAVD 88. The Phase 1 site will be raised to elevation 17 ft NAVD 88 north of Beacham Street and to elevation 14 ft NAVD 88 south of Beacham Street (both of which are above 2070 1% water surface elevation levels). Phase 1 will be elevated above the 2070 0.5% annual chance wave action water elevation north of Beacham Street. According to the EENF, all critical equipment located south of Beachman Street will be elevated on pads to a minimum elevation of 16.2 ft NAVD 88 (above the 2070 0.5% wave action elevation) and designed with redundant waterproofing. The stormwater management system will be designed to accommodate a 24-hour rainfall of 10.0 inches,

which exceeds the 2070 50-year storm event 24-hour precipitation depth of 9.7 inches identified by the Tool. The project will minimize urban heat island effect by reducing impervious area by 4 acres and planting trees and other vegetation around the perimeter of the site. As the design of Phase 1 progresses, the Proponents should incorporate Low Impact Design (LID) and Green Infrastructure to increase resiliency.

Greenhouse Gas Emissions

Phase 1 includes two buildings with a total of 5,000 sf of office space and 800 sf of storage space, which will be heated and cooled. The Proponents have committed to the use of electric heat pumps to supply all of the buildings' space and water heating, to meet low air infiltration standards as required by the Stretch Code, and to provide electric vehicle (EV) charging stations at 25% of the parking spaces. According to the Department of Energy Resources (DOER), no additional analysis of the building design and stationary-source GHG mitigation measures is necessary so long as the Proponents commit to implement the mitigation measures described in the EENF. The Phase 1 Proponent should formalize these commitments in the later-filed GHG Self-Certification.

Construction Period

The EENF included a list of construction-period mitigation measures, as summarized below. All construction and demolition activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponents to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). If oil and/or hazardous materials are found during construction, the Proponents should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00). All construction activities should be undertaken in compliance with the conditions of all State and local permits. I encourage the Proponents to reuse or recycle construction and demolition (C&D) debris to the maximum extent.

Phase 1 Mitigation and Draft Section 61 Findings

The EENF included draft Section 61 Findings for Phase 1 that were limited to proposed building energy efficiency design measures. The list below includes other mitigation commitments included in the EENF for Phase 1. The draft Section 61 Findings will be revised and finalized during permitting, and Final Section 61 Findings will be filed for the Master Plan project after completion of EIR review.

Environmental Justice

- The Phase 1 Proponent is anticipated to enter into a Community Benefits Agreement with the City of Everett

- The project will continue its public engagement efforts after MEPA review is concluded and prior to and during subsequent permitting
- Phase 1 will facilitate integration of renewable power into the electrical grid by supporting offshore wind generating facilities as they are developed
- A wall and landscaped buffer will be constructed around the perimeter of the facility
- The BESS will be designed to include noise barriers, mufflers on equipment, and quiet technology to minimize noise impacts
- Phase 1 will be designed according to standards developed for energy storage systems to minimize fire safety risks
- The Phase 1 Proponent will develop emergency response procedures in cooperation with the Everett Fire Department
- Mitigation measures listed below will minimize construction impacts on EJ populations.

Wetlands and Waterways

- According to the EENF, the Phase 1 project is a water-dependent industrial use, and as such is presumed under the Waterways Regulations to serve a proper public purpose
- The stormwater management system will be designed to meet the SMS
- Public benefits of the project will be described in the Public Benefit Determination to be issued for Phase 1 within 30 days of this Certificate and for the Master Plan project after completion of EIR review for Phase 2.

Adaptation and Resiliency

- The Phase 1 site will be raised to at least elevation 14 ft NAVD 88, which exceeds the 2070 1% annual chance water surface elevation of 13.7 ft (as indicated in the MA Resilience Design Tool) and critical equipment will be elevated on pads to an elevation of at least 16.2 ft, which exceeds the 2070 0.5% annual chance wave action elevation of 15.4 ft NAVD 88 as indicated in the Tool
- Vegetation will be planted around the perimeter of the facility
- The Phase 1 project will decrease existing impervious area by approximately 4 acres
- The stormwater management system for Phase 1 will be designed to accommodate the 2070 50-year storm event 24-hour precipitation depth of 9.7 inches.

GHG Emissions/ Air Quality

- Space and water heating for Phase 1 will be provided by electric heat pumps
- The buildings will be designed to meet the low air infiltration standards of the Stretch Code
- 25% of the parking spaces will have EV charging stations

Construction Period

- Develop and implement a Construction Management Plan in coordination with the City of Everett to outline measures to minimize impacts of construction vehicles, including truck routes, and staging
- Develop and implement a Stormwater Pollution Prevention Plan (SWPPP)

- Noise mitigation measures include: conforming to City of Everett work hour regulations; installation/maintenance of mufflers on equipment and use of muffling enclosures; schedule activities during times of high ambient noise; turning off construction equipment when not in use and minimizing idling times; and locating noisy equipment at locations that protect sensitive receptors
- Construction-period air quality mitigation measures include: use of retrofitted diesel construction vehicles or vehicles using alternative fuels; use of dust control measures, including wheel washing, project site vacuuming, truck covers and other measures; use of oxidation catalysts and catalyzed particulate filters on construction equipment; wetting of large areas of exposed soil; and perimeter dust monitoring
- Comply with all requirements of the Massachusetts Contingency Plan (MCP) regarding testing, handling, transporting and disposing of contaminated soil and sediment and provide notification to MassDEP if any previously unidentified releases of hazardous materials are encountered during construction.
- Comply with MassDEP's Air Pollution Control regulations pursuant to M.G.L. c.40, §54 and the Massachusetts Air Pollution Control regulations at 310 CMR 7.00, including anti-idling provisions and handling and disposal of asbestos.

Conclusion

Based on a review of the information provided in the EENF, consultation with Agencies and review of public comments, I find that the potential impacts of Phase 1 do not warrant further MEPA review. Outstanding issues may be addressed during the local, state, and federal permitting processes. I have proposed to grant a Phase 1 Waiver in a separate Draft Record of Decision (DROD), which is also issued today and will be published in the next Environmental Monitor for a 14-day public comment period. A DEIR for Phase 2 should be submitted in accordance with the Scope.

SCOPE

General

The DEIR should follow Section 11.07 of the MEPA regulations for outline and content and provide the information and analyses required in this Scope. The Scope should not be addressed in isolation, but rather, in the context of preceding sections of this Certificate. It should demonstrate that the Proponent will pursue all feasible measures to avoid, minimize and mitigate Damage to the Environment to the maximum extent feasible.

Project Description and Permitting

The EENF provided minimal information about Phase 2. As noted above, it identified a mixed-use development program consisting of approximately 7.19 million sf of residential, commercial and industrial uses, provided estimates of the project's trip generation, parking supply, water use, and wastewater generation. The EENF provided a conceptual plan showing potential locations of proposed uses, but did not include an alternatives analysis. The EENF identified EJ populations within one mile of the project site, reviewed public engagement measures, and provided a baseline health assessment within the DGA; however, as described below, the Proponents confirmed during the review period that

the DGA is 5 miles. Consistent with the MEPA Interim Protocol on Climate Change Adaptation and Resiliency, the EENF contained an output report from the MA Resilience Design Tool, together with information on climate resilience strategies to be undertaken by the project.

The DEIR should provide a detailed description and analysis of the nature and location of the Phase 2 project including:

- the type, size, and proposed use(s) of the project;
- the objectives and anticipated benefits of the project;
- a description of the physical characteristics of the project and its surroundings, illustrated with a location map and site plans at an appropriate scale and level of detail; and
- a timetable, approximate cost, and the methods and timing of construction of the project.

The DEIR should include site plans for existing and post-development conditions at a legible scale. During the review period, the Phase 2 Proponent confirmed its ownership of a small area of land and water in the Mystic River associated with a former dock. This area should be included as part of the site and the DEIR should identify any proposed or potential future use of this area. Plans should clearly identify buildings, interior and exterior public areas, impervious areas, transportation improvements, pedestrian and bicycle accommodations, stormwater and utility infrastructure, easements, existing and proposed site grades, and other relevant information. The DEIR should provide detailed plans, sections, and elevations to accurately depict existing and proposed conditions, including proposed above- and below-ground structures, resiliency and other mitigation measures. The DEIR should identify, describe, and assess the environmental impacts of any changes in the Phase 2 project that have occurred between the preparation of the EENF and DEIR. It should provide updated calculations of impacts in a tabular format. The DEIR should identify and describe state, federal and local permitting and review requirements associated with Phase 2, provide an update on the status of each of these pending actions, analyze applicable statutory and regulatory standards and requirements, and provide a discussion of the project's consistency with those standards.

The DEIR should include responses to comments received on the EENF, and to the scope items in this Certificate, that specifically address each issue; references to a chapter or sections of the DEIR or appendices alone are not adequate and should only be used, with reference to specific page numbers, to support a direct response. To the extent that it is relevant to the Scope, significant or new information provided in response to a comment should also be incorporated into the discussion of the relevant topic in the main body of the DEIR.

The information and analyses identified in this Scope should be addressed within the main body of the DEIR and not in appendices. In general, appendices should be used only to provide raw data, such as drainage calculations, traffic counts, capacity analyses and energy modelling, and such data and analyses should be summarized with text, tables and figures within the main body of the DEIR. Information provided in appendices should be indexed with page numbers and separated by tabs, or, if provided in electronic format, include links to individual sections. Any references in the DEIR to materials provided in an appendix should include specific page numbers to facilitate review.

Alternatives Analysis

The EENF did not include an alternatives analysis for Phase 2. The DEIR should include a

description and analysis of alternatives to the Phase 2 project, including:

- All feasible alternatives, including alternative development programs and configurations that minimize environmental impacts;
- A No Build Alternative for the purpose of establishing a future baseline in relation to which the project and its alternatives can be described and analyzed and its potential environmental impacts and mitigation measures can be assessed;
- An analysis of the feasible alternatives in light of the objectives of the Proponent and the mission of any Participating Agency to which the Proponent has made or will make an application for a Permit, Financial Assistance, or a Land Transfer, including relevant statutes, regulations, executive orders and other policy directives, and any applicable Federal, municipal, or regional plan formally adopted by an Agency or any Federal, municipal, or regional governmental entity;
- An analysis of the principal differences among the feasible alternatives under consideration, particularly regarding potential environmental impacts; and
- a discussion of any alternatives no longer under consideration including the reasons for no longer considering these alternatives.

The DEIR should include an analysis of alternatives developed in response to suggestions regarding site design, configurations, and uses made by the public in connection with the Proponent's community engagement activities.

Environmental Justice

The DGA for the Master Plan is 5-miles. As discussed above, as the Phase 1 project nonetheless does not generate over 150 new diesel vehicle trips, it completed outreach and analysis over a 1-mile radius around the project site.

The DEIR should include a revised analysis prepared in accordance with the MEPA EJ Public Involvement Protocol and the MEPA Interim Protocol for Analysis of EJ Impacts. Because the EENF had incorrectly assumed a 1-mile DGA, the Phase 2 Proponent should engage with the EJ communities beyond the 1-mile radius as soon as possible to provide adequate notice of the Master Plan project and inform these communities of project impacts, especially as it relates to increased vehicular and truck traffic. The DEIR should provide a visual displaying anticipated truck routes in relation to EJ neighborhoods across the 5-mile DGA, indicating percentage distribution of truck volumes along identified routes to and from the project site and across the 5-mile radius. The DEIR should identify all EJ populations in proximity to such routes. The DEIR should further characterize the 543 EJ communities located in whole or in part of the 5-mile DGA and present an EJ impact analysis for the 5-mile DGA as discussed below.¹⁰

Public Engagement

The EENF included Section 4.5 "Proposed Measures to Enhance Public Involvement," which recorded the Proponents' efforts to engage the public and shared commitments for post-filing engagement for the Phase 1 and Phase 2 projects. According to the EENF, the Phase 2 Proponent held

¹⁰ Appendix A of the EENF provides the full breakdown of census block groups that meet EJ and LEP criteria within a 5-mile radius of the site.

meetings with eight CBOs in 2024, including local organizations such as the Mystic River Watershed Association, Everett Community Growers, La Comunidad, and Chelsea GreenRoots, to discuss remediation of the site and preliminary redevelopment ideas, and to seek input on future community engagement. While this section displays the Proponents' efforts to meaningfully inform the community and involve CBOs, it largely summarizes past activities and does not present a comprehensive plan with proposed methods for engaging the community. Presenting this information in a standalone document for a public audience would have the benefit of fostering transparency, trust, and a meaningful dialogue between the Proponents and the affected communities. This dialogue allows the public to inform the Proponents on how they would prefer to be engaged, helping to tailor outreach efforts to the specific needs and preferences of the community. While Phase 1 is anticipated to be granted a Waiver under a Final Record of Decision, the Phase 1 Proponent has committed to continuing community engagement throughout subsequent permitting, and, as noted in MassDEP comments, remediation efforts, including the handling of contaminated soil, will continue throughout the Master Plan site under the supervision of MassDEP and the M.G.L. c. 21 MCP program. MassDEP therefore recommends that both Proponents will provide robust outreach and enhanced public involvement for all phases of the project as it continues to advance. For this reason, the community engagement plan provided in the DEIR should encompass all phases of the project, including Phase 1.¹¹

The Proponents should prepare a community engagement plan prior to filing the DEIR and seek early input from CBO contacts. At the Proponents' option, such plan may be sent to the MEPA office for feedback on whether the plan incorporates best practices for meaningful engagement with EJ communities. Upon receiving input from CBO contacts and the MEPA office, the engagement plan should be included as an attachment to the DEIR and provided as a standalone document on any project website developed for Phase 2 (as well as Phase 1). Components of a successful community engagement plan include the following:

- Statement of purpose
- Project summary and presentation of project impacts
- Identification of vulnerable communities within the DGA (i.e., EJ populations, communities with vulnerable health criteria, linguistically isolated communities)
- Engagement efforts to-date
- Commitment to specific notification and outreach strategies (e.g., website updates, social media engagement, physical mailers, fact sheet distribution, tabling at community events, etc.)
- Commitment to incorporating inclusive and equitable strategies to hold public meetings (e.g., hybrid evening meetings, provision of childcare and transportation, "open-house" style meetings, "forum/panel" style meetings, etc.)
- Commitment to on-going engagement (i.e., identification of mechanism for response to comments and on-going involvement of CBOs)

Given the high number of EJ populations within a 5-mile radius, the Proponents may focus outreach efforts on a 1-mile radius, and target outreach within the 5-mile radius to areas where truck

¹¹ Given the anticipated Phase 1 Waiver, it would be permissible for the engagement plan to largely focus on planned activities for Phase 2; however, a summary of engagement activities conducted for Phase 1 should be included, together with any future activities planned during any permitting proceedings that remain outstanding for Phase 1 by the time of filing of the DEIR.

routes will likely extend based on best available information related to the Phase 2 project. The DEIR should describe additional outreach methods in EJ populations within the 5-mile radius, including at a minimum physical distribution of a project fact sheet to easily accessible locations and targeted dissemination of any notices of public meetings. The fact sheet and other project materials should be translated in all languages spoken by 5% or more of Limited English Proficiency (LEP) residents as identified by the EEA EJ Mapper. In addition, the Phase 2 Proponent should request an up-to-date EJ Reference List from the MEPA office to compile a revised project-specific distribution list (“EJ Distribution List”) that includes local CBOs active within a five-mile radius of the project. The entities included in the revised EJ Distribution List should be promptly notified of the extended DGA and sent a copy of the EENF, this Certificate, and the DROD also issued today. The DEIR should be sent to the revised EJ Distribution List, all EENF commenters, and any independently identified grassroots organizations.

The DEIR should discuss whether and how the public involvement activities conducted for the project are consistent with best practices listed in the MEPA EJ Public Involvement Protocol. The Phase 2 Proponent should hold at least one Everett-based public meeting prior to filing the DEIR and one or more additional public meetings held outside of the 1-mile radius in any locations strategically selected to reach residents living in proximity to anticipated truck routes. The Proponent is advised to consult with local CBO contacts, the MEPA office, and the EEA Office of Environmental Justice and Equity when planning the meetings to work towards maximizing public involvement and promoting equitable participation. Additional public meetings may be recommended by community members or CBOs to address specific project concerns and/or specific affected communities. The Phase 2 Proponent should maintain a list of the issues discussed and suggestions offered by the public at each meeting, including meetings held with specific organizations, and document how the suggestions were incorporated into the design or not. As noted above, the alternatives analysis should include alternatives that incorporate site designs and uses recommended through the Proponent’s public involvement activities.

Baseline Conditions Assessment

As described above, the EENF included a baseline assessment of any existing “unfair or inequitable Environmental Burden and related public health consequences” impacting EJ Populations within one mile of the project site. Because the applicable DGA for the project is 5 miles, the DEIR must expand this baseline assessment to cover the expanded DGA and assess Phase 2 impacts, in accordance with 301 CMR 11.07(6)(n)1. and the MEPA Interim Protocol for Analysis of EJ Impacts. The DEIR should also include an analysis of Phase 2 impacts to determine whether the project may result in disproportionate adverse effects, or increase the risks of climate change, on the identified EJ population, in accordance with 301 CMR 11.07(6)(n)2. and the MEPA Interim Protocol for Analysis of EJ Impacts.

The DEIR should report on vulnerable health EJ criteria as reported by the DPH Tool, and all municipal-level information should be provided for the 5-mile DGA. Vulnerable health EJ criteria available at the census tract level should be reported for a 1-mile radius around the site and for any census tracts that include additional EJ populations affected by truck routes over a 5-mile radius as indicated above. As noted, the Proponent should provide information about anticipated truck routing for the Phase 2 project.

The DEIR should analyze the additional mapping layers available in the DPH tool identifying sources of pollution. These data should be re-reported for both the 1-mile and included for the 5-mile DGA. Aggregated numbers may be provided for each of these geographic areas without breaking them down by census tract or census block group. The mapping layers include:

- Major air and waste facilities
- M.G.L. c. 21E sites
- “Tier II” Toxics Release Inventory Site
- MassDEP sites with AULs
- MassDEP groundwater discharge permits
- Wastewater treatment plants
- MassDEP public water suppliers
- Underground storage tanks
- EPA facilities
- Road infrastructure
- MBTA bus and rapid transit
- Other transportation infrastructure
- Regional transit agencies
- Energy generation and supply

While the EENF included an assessment of EPA EJ Screen environmental indicators, only a weighted average percentile of indicators was provided across a 1-mile radius. The DEIR should identify any individual census block group within one mile that exceeds the 80th percentile of an environmental indicator and along the anticipated truck routes within a five-mile radius.¹² Any indicator identified as exceeding 80th percentile should be reported. For any areas where air quality indicators¹³ are elevated at 80th percentile or higher, additional data regarding asthma rates in schools should be provided at the census tract level at such locations. Specifically, the Proponent should utilize the pediatric asthma analysis framework finalized in MassDEP Cumulative Impact Analysis (CIA) air permitting regulations.¹⁴ These data should be provided for all schools servicing EJ populations with air quality indicators elevated at 80th percentile or higher within a 1-mile radius of the site and along the anticipated truck routes within a five-mile radius.

Project Benefits and Impacts

The DEIR should present a comprehensive analysis of impacts and mitigation for the Phase 2 project. While implementing Phase 2 will significantly transform a site that hosted petroleum distribution and bulk storage for over 75 years, the Proponent must evaluate the benefit of remediation and redevelopment in the context of new environmental impacts introduced by Phase 2 operations. This is especially important given the project’s location amongst a high density of EJ populations who display health vulnerabilities associated with harmful environmental exposures (i.e., elevated asthma, low-birth weight, heart-attack, and high blood-lead rates). Mapping data already provided in the EENF demonstrate high concentrations of potential pollution sources in the area, including high numbers of

¹² Reporting a weighted-average of environmental indicators percentiles across the 5-mile DGA does not provide sufficient insight into the environmental conditions of individual EJ populations.

¹³ EJ Screen air quality environmental indicators include: PM2.5, ozone, NO2, DPM, toxic releases to air, traffic proximity/volume, superfund proximity, RMP proximity, hazardous waste proximity, and UST proximity.

¹⁴ Data may be downloaded on the MassDEP CIA website (Indicator Data for Cumulative Impact Analysis): <https://www.mass.gov/info-details/cumulative-impact-analysis-in-air-quality-permitting>

M.G.L. c. 21E sites, toxics use reporting facilities, hazardous waste sites, and underground storage tanks. Any new project impacts should be assessed considering the potential to exacerbate these cumulative environmental burdens already borne by surrounding communities.

To assess impacts on traffic generation, the DEIR should present an air quality assessment consistent with the *MassDEP Guidelines for Performing Mesoscale Analysis of Indirect Sources (1991)* for the study area used for the traffic study performed for Phase 2. Data on CO, VOCs, NO_x, PM_{2.5}, PM₁₀, and DPM should be provided, in addition to greenhouse gas emissions as indicated in the Climate Change section below. The DEIR should provide a comparison of air pollutants from Existing (current) conditions to future No Build, future Build, and future Build with Mitigation conditions. The DEIR should confirm that any impacted intersections within the traffic study area (where LOS was shown to degrade from No Build to Build conditions) and adjacent to EJ populations will be adequately mitigated. Mitigation should also be considered if air pollutants are documented to increase from Existing to future Build conditions for the study area, or if total project-generated emissions will exceed 1 ton per year (tpy) for any pollutant, which is the lowest level at which MassDEP air permitting for stationary sources is required. Potential mitigation could include increased commitments to EV charging infrastructure, investments into public infrastructure and transportation, expanded TDM program, air monitoring during remediation/construction activities, and contributions to public health services that directly benefit EJ populations.

The DEIR should analyze routes of travel for new vehicle trips and assess the number of diesel-generated truck trips and routes of travel that would result from the project including during the construction period. The DEIR should discuss whether diesel truck traffic is anticipated to extend near EJ populations within the 5-mile DGA and provide a narrative description of whether air quality will be impacted at those locations based on a comparison of existing traffic volumes and the increase to be added by the project. To the extent any EJ populations adjacent to truck routes are located within census blocks with elevated air-quality-related environmental indicators at 80th percentile or higher as shown in EPA EJ Screen or have elevated asthma rates at the census tract level as shown in the MassDEP CIA tool, mitigation measures should be considered to offset any additional impacts from diesel traffic. I am aware that MassDEP has proposed regulatory changes to adopt the California Air Resources Board (CARB)'s Medium and Heavy Duty (MHD) engine and vehicle regulations. Given this transition to a cleaner truck fleet as of MY 2025, it is my expectation that mitigation commitments relative to mobile source emissions will address diesel vehicle traffic and early adoption of future mandates relative to its truck fleet is strongly encouraged. Further mitigation measures could include roadway/highway shielding, air monitoring, re-routing or time limits on truck traffic, tree planting, or contributions to public health services or interventions in the affected community.

While the EENF indicates a net decrease in impervious surfaces upon implementation of Phase 2, the potential for stormwater flooding and heat effects in the surrounding neighborhoods should be further assessed in the DEIR. Analysis of the stormwater management system should specifically assess whether flooding risks may be exacerbated for nearby EJ populations, including under future climate conditions. The DEIR should contain an GHG emissions analysis consistent with the GHG Emissions section of the Scope. The DEIR should analyze any other relevant short-term environmental or public health impacts of the project, including construction period activities.

The DEIR should provide details on the project benefits of Phase 2, highlighting key improvements to the site such as the reduction of impervious surfaces, creation of public amenities (such as parks and open spaces), construction of new housing stock, and other benefits. According to the

EENF, public benefits for Phase 1 will be outlined in a Host Community Agreement that the Proponent will voluntarily propose to the City of Everett associated with future DPU proceedings. The DEIR should include information of the Host Community Agreement and describe all project benefits identified as part of Phase I and the remainder of the Master Plan project.

Public Health

The DEIR should include a separate section on “Public Health,” and discuss any known or reasonably foreseeable public health consequences that may result from the environmental impacts of the project. Focus should be given to any impacts that may materially exacerbate “vulnerable health EJ criteria,” in accordance with the MEPA Interim Protocol for Analysis of EJ Impacts. Publicly available data, including data from the DPH EJ Tool and EJ Screen Tool, should be surveyed to assess the public health conditions in the immediate vicinity of the project site, in accordance with 301 CMR 11.07(6)(g)10, and in the immediate vicinity of anticipated truck routes.

To the extent any required Permits for the project contain performance standards intended to protect public health, the DEIR should contain specific discussion of such standards and how the project intends to meet or exceed them. As a sewer use discharge may be required from MWRA, the DEIR should discuss the permit standards that will need to be followed to ensure that any wastewater discharges will meet public health standards. While I acknowledge that the remediation efforts are undergoing under the MCP, it will result in a significant number of truck trips in and out of the surrounding neighborhoods and associated air emissions, noise and traffic. Given that the remediation is conducted under public health standards set forth in the MCP, the DEIR should provide an update on any remediation work that is ongoing at the time of the DEIR. Specifically, the DEIR should address measures to protect the public health of future tenants of the site, including disclosing the total number of truck trips associated with remediation and any mitigation implemented, details on on-going environmental monitoring requirements, and consideration of engineered controls to protect the indoor air quality for resident and workers occupying the site under Phase 2 conditions. According to MassDEP, an Administrative Consent Order is under development to establish conditions regarding the placement of approximately 700,000 cubic yards of material needed to achieve a resilient cap over the site. MassDEP’s comment letter identifies measures, including air monitoring, that must be implemented during remediation of the site to protect human health; design details that require further evaluation to ensure the remediation is properly designed and maintained; and the potential need for an Activity and Use Limitation (AUL) or additional remediation to maintain a condition of No Significant Risk for the uses proposed on the site. MassDEP strongly encourages robust public engagement measures so that the public is aware of the extent of future activities and any associated impacts. The DEIR should provide responses to MassDEP’s comment letter and describe how the design of the site remediation and remediation construction activities will be or have been undertaken in a manner that is protective of human health. As noted above, the DEIR should provide a community engagement plan that covers all phases of the project, including any outreach planned specifically for remediation activities.

Land Alteration

According to the EENF, the Master Plan project will reduce impervious area by 4.76 acres, of which a reduction of 4 acres will be on the Phase 1 site. The DEIR should provide an analysis of how the project will maximize pervious area on the Phase 2 site. It should include plans of impervious areas and specific types of surface treatments (grass, landscaping, pavement, pavers, porous pavement, etc) under pre- and post-development conditions. It should include plans showing site grades under pre- and

post-development conditions and provide estimates of fill volumes necessary to achieve final grades. The DEIR should describe and provide profiles and sections of transitions in elevation between the project site and adjacent areas. It should describe and provide plans of proposed public open space areas and parkland and potential connections to on-site and off-site open space and pedestrian and bicycle networks.

Transportation

According to the EENF, Phase 2 will generate 62,474 New unadjusted vehicle trips on an average weekday. This estimate was prepared based using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th edition) land use codes (LUCs) 221 (Multi-Family Housing Mid-Rise), 710 (General Office), 760 (Research and Development), 820 (Shopping Center), 140 (Manufacturing), and 130 (Industrial Park). According to MassDOT, the daily unadjusted trip generation includes 4,439 vehicle trips during the weekday AM peak hour and 4,984 vehicle trips during the weekday PM peak hour, which will have significant impacts on the transportation system.

The DEIR should include a traffic study prepared consistent with the EEA/MassDOT *Transportation Impact Assessment (TIA) Guidelines* issued in March 2014, this Scope, and MassDOT's comment letter, which is incorporated herein by reference. As recommended by MassDOT, the TIA should evaluate the project's transportation impacts using, at a minimum, a 10-year planning horizon. The TIA should include a comprehensive multimodal assessment of the transportation impacts of the project. It should provide capacity analyses for the existing conditions, future No-Build conditions, and future Build conditions within the study area. The future Build conditions should include an analysis of operations both with and without any improvements suggested to mitigate project impacts. The study should propose a mitigation package intended to reduce vehicular travel while supporting increased use of carpooling, walking, bicycling, and transit by residents, employees, and visitors.

The EENF included a proposed transportation study area consisting of 23 intersections in the vicinity of the site. The Phase 2 Proponent should consult with MassDOT to finalize the study area for the TIA.; due to the project's high trip generation and the site's location near a large number of EJ populations, I encourage MassDOT and the Proponent to expand the study area to include roadways and other transportation facilities that reflect conditions at key intersections, public transportation stations, and major pedestrian and bicycle facilities adjacent to EJ populations. Within the final study area, project trips should be assigned to the intersections and roadways based on the anticipated directional distribution of patrons or customers, considering populations of nearby towns and regional travel to and from the site. The TIA should include a network map and shows the percentages of traffic assigned to each roadway link and each intersection for the anticipated trip generation.

Traffic Operations

Capacity analyses should be conducted for the weekday morning, evening peak hours, and the Saturday peak hour for both existing and future conditions. In addition, capacity analyses for Build with mitigation conditions should be provided for all intersections, particularly those with impacts to the state highway system. The TIA should provide illustrations depicting the peak hour 50th (average) and 95th percentile queue lengths for each lane group/turning movement at each study area intersection. The information contained in these illustrations should clearly demonstrate that the project would not result in any extended queues that would block vehicle movements to/from study area intersections, particularly those

involving state highways. Appropriate mitigation should be identified at any locations where queue blockages occur. Color-coded illustrations should also be prepared depicting the level of service (LOS) for each lane group/turning movement for each case.

A traffic signal warrant study (TSWS) should be performed, and the need documented for any locations where signalization is being proposed, including site driveway intersections with the public roadway system. A left-turn lane warrant analysis should be conducted, and the need documented for any locations where the addition of such a lane is being proposed, including at site driveways. The need for off-site traffic improvements required as a result of the project's traffic increases will be assessed through the environmental review process. MassDOT recommends that the Proponent discuss the transportation impacts of the project with MassDOT prior to the submittal of the TIA.

The TIA should include a safety analysis with the crash history derived from the latest information available on the MassDOT crash portal at each intersection in the study area. The analysis should identify all intersections that are above the State and Districts 4 and 6 average crash rates. The Proponent should review the crash data to identify opportunities for low-cost improvements that could help reduce these crashes. The MassDOT Highway Safety Improvement Program (HSIP) crash location map should be reviewed to determine if there are any crash clusters in the study area. The Proponent should consult with MassDOT as to the need to conduct any additional road safety audits (RSA).

Public Transit

According to MassDOT, the Massachusetts Bay Transportation Authority (MBTA) currently operates rapid transit service near the site and bus service directly to the site. The DEIR should contain a comprehensive transit analysis that would estimate the additional demand generated by the project. Once those travel demand and transit trip generation rates are developed and applied to the project, the DEIR should address the project's impacts to the MBTA's subway and bus service as detailed in MassDOT's comment letter.

Pedestrian and Bicycle Access

The DEIR should provide a thorough inventory of all existing, planned, and proposed pedestrian and bicycle services, facilities, and routes for accessing the site. It should provide an evaluation of the pedestrian network, including pavement conditions, sidewalk widths, crosswalks, compliance with current accessibility standards, and existing pedestrian volumes and movements. The TIA should include a detailed inventory of the bicycle network, including bikeway types, bikeway widths, and bicycle numbers and speeds. The DEIR should identify the likely travel routes for bicyclists within the study area, assess the degree to which these routes can safely support bicycle travel, and reevaluate these routes based on the origin-destination of potential residents, employees, and visitors to the site. The Proponent should work with MassDOT and the Department of Conservation and Recreation (DCR) to ensure that a seamless connection between the existing and planned pedestrian facilities that span across multiple jurisdictions is available to accommodate demand generated by the project.

Parking

As described in the EENF, Phase 2 includes 5,589 new garage parking spaces. According to

MassDOT, the number of parking spaces is excessive given that the project is located in the area considered in the Lower Mystic Regional Working Group (LMRWG) study, which that strongly recommends the reduction of parking to encourage alternative modes of transportation. The DEIR should clarify how the parking needs of the project were determined and explain the methodology used to determine the total parking required. The Institute of Transportation Engineers' *Parking Generation* generally provides a reasonable basis for comparison to parking requirements under local zoning, but this reference does not present parking rates for this type of mixed land use. The Proponent should follow the guidance provided in the LMRWG study and evaluate the feasibility of implementing strategies for reducing parking supply and demand, including, at a minimum, parking pricing and shared parking.

Transportation Demand Management

The TIA should include a comprehensive Transportation Demand Management (TDM) program that would be implemented to minimize single occupancy vehicle (SOV) trips and to achieve a robust non-SOV mode share. The TDM program should further investigate measures that would maximize usage of existing and potential new pedestrian, bicycle, and transit facilities. Such measures may include, at a minimum, the following:

- Employment of a Transportation Coordinator to coordinate efforts, monitor success rates, and manage strategic implementation of traffic reduction programs.
- Staggering employee shifts to avoid the peak hour.
- Carpool/vanpool matching programs.
- Dissemination of promotional materials about the TDM program online.
- Participation in the MBTA Corporate Pass Program to the extent practical and as allowable pursuant to commercial tenant lease requirements.
- Electric vehicle charging stations within the proposed parking garage.
- Preferential parking for alternatively fueled vehicles.
- Offering a "Guaranteed-Ride-Home" in case of emergency to employees that commute to the project site by means other than private automobile.
- Discounted Bluebikes memberships.
- Rideshare program which allows employees to find other users who are commuting.

Transportation Monitoring Program

According to MassDOT, the Proponent will be required to conduct an annual traffic monitoring program for a period of five years, beginning six months after occupancy of Phase 2 of the project. The goals of the monitoring program will be to evaluate the assumptions made in the EIR and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program. The monitoring program should include:

- Simultaneous automatic traffic recorder (ATR) counts at each site entrance for a continuous 24-hour period on a typical weekday;
- Travel survey of residents, employees, and visitors at the site (to be administered by the Transportation Coordinator);
- Weekday AM and PM peak hour turning movement counts (TMCs) and operations analysis at "mitigated" intersections, including those involving parking entrances; and

- An update on TDM effectiveness and transit ridership.

The DEIR should include a commitment to conduct a traffic monitoring program that complies with MassDOT's recommendations.

Stormwater

The project will reduce the amount of impervious area at the site by approximately 4.76 acres, of which 4 acres will be removed on the Phase 1 site. The DEIR should describe the proposed stormwater management system for the Phase 2 site and provide an analysis to demonstrate how it will be designed to satisfy all standards of the Stormwater Management Standards (SMS) and comply with any relevant Total Maximum Daily Load (TMDL) established for adjacent waterbodies. It should include detailed plans at a readable scale of the proposed drainage system and provide calculations of water quality volume, infiltration volume, total suspended solids removal, and peak rates of runoff for predevelopment and post-development site. The DEIR should include an evaluation of the use of low impact design (LID) strategies and green infrastructure wherever practicable. It should provide analysis of the capacity of the stormwater management system under future climate conditions, as described below. The DEIR should provide an overview of the stormwater management system on the Phase 2 project site and discuss the interconnections of the stormwater management system between Phase 1 and Phase 2. It should describe how the system will be designed and constructed to support both individual phases and with adequate capacity to accommodate future phases, whether stormwater discharges from both phases are anticipated to be accommodated through any common infrastructure (such as piping or subsurface infiltration systems), and whether the system will be constructed to accommodate the volume of water anticipated under both phases.

Public Benefit Determination

Phase 2 includes activities within tidelands which are subject to the provisions of *An Act Relative to Licensing Requirements for Certain Tidelands* (2007 Mass. Acts ch. 168), now codified at M.G.L. c. 91, § 18B, and the Public Benefit Determination regulations (301 CMR 13.00). Consistent with these provisions, I must conduct a Public Benefit Review as part of the review of EIR projects located on tidelands. The DEIR should include an analysis of the public benefits of the project in accordance with the PBD regulations. A PBD will be issued after completion of MEPA review of Phase 2 and will identify public benefits to be provided by Phase 2 and amend, if necessary, the Phase 1 PBD.

Water /Wastewater

According to the EENF, the Master Plan project will use 1,168,000 gpd of water and generate 1,062,000 gpd of wastewater. The DEIR should describe and provide plans of proposed water and sewer service to the Phase 2 site. It should review the capacity of Everett's system to provide water and describe existing and proposed water infrastructure needed to serve Phase 2, including any on-site or off-site improvements that the Proponent will be required to construct. The DEIR should describe water conservation measures to be implemented by the project, including reuse of rainwater and gray water, water conserving plumbing fixtures, and measures to eliminate or minimize water needed for irrigation. As requested by the MWRA, the DEIR should include a detailed breakdown by use (office, retail, residential, etc.) of sewer flows generated by the project and indicate where flows will enter the sewer collection system. The DEIR should review the capacity of Everett's wastewater and drainage systems

to accept flows generated by the project and describe existing and proposed infrastructure needed to serve the site, including any on-site or off-site improvements to be constructed by the Proponent.

The project will be required to mitigate its contribution of flow into the sanitary sewer system. MassDEP regulations at 314 CMR 12.04(2)(d) specify that communities with CSOs must require projects generating 15,000 gpd or more of new wastewater flow to remove four gallons of I/I for each gallon of wastewater. The Proponent should consult with the City of Everett to identify appropriate I/I mitigation for this project. The DEIR should include a commitment to I/I removal and identify any mitigation projects or monetary contribution by the Proponent. The DEIR should specifically identify potential increased CSO discharges affecting surface water quality in EJ populations and address mitigation of these impacts. Groundwater discharges into the sanitary system are prohibited without a Temporary Construction Dewatering Permit from the MWRA. According to the MWRA, if any on-site uses will discharge industrial process, manufacturing, power generating, or laboratory wastewater, a Sewer Use Discharge Permit will be required; the DEIR should address the potential need for this permit and review the relevant standards. The DEIR should include a commitment to use oil/gas separators in the parking garage drainage systems.

Climate Change

Adaptation and Resiliency

The EENF included an output report from the MA Resilience Design Tool for the Phase 2 site. Based on the output report attached to the EENF, the Phase 2 project has a high exposure rating based on the project's location for extreme precipitation (urban flooding) and extreme heat, and a medium exposure rating for sea level rise/storm surge. Based on the 60-year useful life identified for the Phase 2 project and the self-assessed criticality of the proposed structures, the Tool recommends a planning horizon of 2070 and a return period associated with a 100-year (1% chance) storm event with respect to sea level rise/storm surge and a planning horizon of 2070 and a return period associated with the 25-year (4% chance) storm event with respect to extreme precipitation. The output report recommends planning for the 50th percentile with respect to extreme heat (which indicates an increase in extremely hot days as compared to a historical baseline).

The DEIR should analyze the design of Phase 2 in the context of the design guidelines for the 2070 25-year storm event for precipitation and 100-year storm event for sea level rise/storm surge. It should review the capacity and performance of the proposed stormwater management system for various design storm events for the post-development condition, as compared to the pre-development condition, including the 2-, 10-, and 25-year design storms and the precipitation depths recommended by the Tool. The DEIR should review landscaping, tree planting, Low Impact Design (LID) and green infrastructure measures to be incorporated into the project design. The DEIR should evaluate alternative locations and designs of the proposed open space to maximize their effectiveness in increasing the resiliency of the site and surrounding areas to climate change, including sea level rise/storm surge, urban flooding and urban heat island effect.

As noted above, remediation of the site will include capping the site with fill material placed to an elevation of 10.7 ft NAVD 88 or more, which exceeds the BFE at the site as delineated on revised FEMA FIRMs that will take effect next year. While the EENF indicated that some filling for resiliency purposes beyond the minimum level required to meet public health standards is allowed under the MCP, it did not indicate the precise elevations for which this added resiliency would be approved under MCP

regulations. Thus, while development of Phase 2 will take place on land that is not within the 100-year floodplain under post-remediation conditions, the extent of elevation from existing conditions nonetheless raises questions about the impact of the fill on floodplain functions as currently mapped. I note, in particular, that the Phase 2 site is adjacent to MBTA railroad tracks, which could be vulnerable to redirection of flood waters from the site.

According to the Tool, the 2070 1% annual chance storm is projected to have an average weighted water surface elevation of 13.7 ft NAVD 88 and an average wave action elevation of 15.1 ft NAVD 88. Proposed post-remediation site grades of three of the Phase 2 development parcels are below the projected 2070 water surface elevations. The EENF indicated that these development parcels may be further elevated in connection with their development. Other parcels on the Phase 2 site are proposed to be elevated to elevation 14.6 ft NAVD 88 (or higher), which is above the 2070 water surface elevation. The DEIR should include an explanation of how elevations for the Parcel 2 site were chosen, and describe why the chosen elevations are appropriate to provide adequate resiliency, especially for proposed residential units, to future climate conditions.

The DEIR should also provide a description of the proposed fill and grading on the Phase 2 site, including the volume of fill proposed to be used, with grade and fill plans including representative cross-sections through the site. It should also provide representative cross-sections of the proposed buildings relative to existing and proposed ground elevations and projected future flood elevations. In order to assess the potential impacts of the proposed fill and project components on surrounding buildings and infrastructure, an analysis should be conducted to assess potential changes and impacts to the floodplain. The analysis should assess potential changes to flood extent, depth, and velocities for future sea level rise and increased precipitation using the Massachusetts Coast Flood Risk Model or best available information regarding the projected extent of the floodplain for the life of the proposed development. This analysis should be used to inform the project design and to ensure that potential impacts on the project site and to neighboring properties (e.g., redirection of flood waters, channelization of flow, increased flood velocities, etc.) are avoided. Alternatives to the building layouts and designs, fill and amenities should be considered if necessary to avoid these impacts. If Phase 2 is expected to be built out over a long period of time, the DEIR should describe how development on individual parcels will be designed and constructed at the proposed elevations in a manner that will connect to the existing grades in areas to be developed under future phases and analyze flood pathways under interim conditions. The DEIR should review options for minimizing redirection of flows by abrupt grade changes created by elevating a portion of the site to be developed under a future phase while surrounding areas remain at existing elevations, such as accelerating the flood infrastructure timelines for future phases and expediting the closing of flood pathways.

Greenhouse Gas (GHG) Emissions

Phase 2 is subject to review under the May 5, 2010 MEPA GHG Policy. The Policy requires Proponents to quantify carbon dioxide (CO₂) emissions and identify measures to avoid, minimize or mitigate such emissions. The analysis should quantify the direct and indirect CO₂ emissions of the project's energy use (stationary sources) and transportation-related emissions (mobile sources).

Stationary Sources

The DEIR should include a GHG analysis for stationary sources prepared in accordance with the MEPA GHG Policy, guidance provided in the comment letter submitted by the Department of Energy

Resources (DOER), which is incorporated in this Certificate in its entirety, and this Scope. The DEIR should include an analysis that calculates and compares GHG emissions associated with a Base Case and a Preferred Alternative that achieves greater reductions in GHG emissions.

The stationary source GHG analysis should clearly demonstrate consistency with the key objective of MEPA review, which is to document the means by which Damage to the Environment can be avoided, minimized and mitigated to the maximum extent feasible. The DEIR should identify the model used to analyze GHG emissions, clearly state modeling assumptions, explicitly note which GHG reduction measures have been modeled, and identify whether certain building design or operational GHG reduction measures will be mandated by the Proponent to future occupants or merely encouraged for adoption and implementation. The DEIR should include the modeling printouts for each alternative and emission tables that compare base case emissions in tons per year (tpy) with the Preferred Alternative showing the anticipated reduction in tpy and percentage by emissions source. Other tables and graphs, such as the table of mitigation measures recommended by DOER, may also be included to convey the GHG emissions and potential reductions associated with various mitigation measures as necessary. The DEIR should provide data and analysis in the format requested in DOER's letter. The DEIR should clarify the proposed uses within the warehouse building (office, manufacturing, etc.) and what portion of the building this space will occupy. The DEIR should present a comprehensive evaluation of mitigation measures, including high-efficiency building envelope, electrification, installation of rooftop solar photovoltaic (PV) systems, and installation of electric vehicle (EV) charging stations.

Mobile Sources

The DEIR should include an evaluation of potential GHG emissions associated with mobile source emissions from Phase 2. The DEIR should follow the guidance provided in the GHG Policy for *Indirect Emissions from Transportation* to determine mobile emissions, and should provide data on Existing Conditions, Build Conditions, and Build Conditions with Mitigation consistent with the air quality assessment required under the Environmental Justice section. The DEIR should describe truck loading and staging activities and estimate GHG emissions from idling. The Proponent should thoroughly explore means to reduce overall single occupancy vehicle trips and to minimize air emissions from diesel vehicle traffic. The DEIR should also review measures to promote the use of low-emissions vehicles, including installing EV charging stations for both vehicles and trucks and providing designated parking spaces for these vehicles (a minimum of 25% of proposed spaces) with the balance of spaces being EV ready for future installation.¹⁵ The Build with Mitigation model should incorporate TDM measures, and any roadway improvements implemented by the project, and document the associated reductions in GHG emissions. The DEIR should explain how TDM measures will be monitored and adjusted over time and provide a methodology for quantifying emission reductions impacts rather than an assumed percentage reduction.

Construction Period

The DEIR should describe how construction activities will be managed in accordance with applicable MassDEP regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The DEIR should describe all construction-period impacts and mitigation relative to noise, air

¹⁵ More information on EV infrastructure can be obtained from the MassEVolves program at www.massevolves.org.

quality, water quality, and traffic, including construction vehicle trips through residential areas. It should confirm that the project will require its construction contractors to use Ultra Low Sulfur Diesel fuel, and discuss the use of after-engine emissions controls, such as oxidation catalysts or diesel particulate filters. The DEIR should provide more information regarding the project's generation, handling, recycling, and disposal of construction and demolition debris (C&D) and identify measures to reduce solid waste generated by the project. I encourage the Proponent to commit to C&D recycling activities as a sustainable measure for the project. Any contaminated material encountered during construction must be managed in accordance with the Massachusetts Contingency Plan (MCP; 310 CMR 40.00) and with prior notification to MassDEP. The project will be required to develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with its NPDES CGP to manage stormwater during the construction period. The DEIR should describe stormwater management measures that will be implemented during construction. It should describe potential construction period dewatering activities and associated permitting (i.e., NPDES) and identify mitigation measures. All construction-period mitigation measures should be listed in the draft Section 61 Findings.

Mitigation and Draft Section 61 Findings

The DEIR should include a separate chapter summarizing all proposed mitigation measures including construction-period measures. This chapter should also include a comprehensive list of all commitments made by the Proponent to avoid, minimize and mitigate the environmental and related public health impacts of the project, and should include a separate section outlining mitigation commitments relative to EJ populations. The filing should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation. The list of commitments should be provided in a tabular format organized by subject matter (traffic, water/wastewater, GHG, EJ, etc.) and identify the Agency Action or Permit associated with each category of impact. Draft Section 61 Findings should be separately included for each Agency Action to be taken on the project. The filing should clearly indicate which mitigation measures will be constructed or implemented based upon project phasing to ensure that adequate measures are in place to mitigate impacts associated with each development phase.

The DEIR should include a commitment to provide a GHG self-certification to the MEPA Office upon construction of the building signed by an appropriate professional indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve identified reductions in stationary source GHG emission and transportation-related measures, have been incorporated into the project. If equivalent measures are adopted, the project is encouraged to commit to achieving the same level of GHG emissions (i.e., "carbon footprint") identified in the Preferred Alternative expressed as a volumetric measure (tpy) in addition to a percentage GHG reduction from Base Case. The commitment to provide this self-certification in the manner outlined above should be incorporated into the draft Section 61 Findings included in the DEIR.

Responses to Comments

The DEIR should contain a copy of this Certificate and a copy of each comment letter received. The DEIR should contain a direct response to the scope items in this Certificate. To ensure that the issues raised by commenters are addressed, the DEIR should also include direct responses to comments to the extent that they are within MEPA jurisdiction. This directive is not intended, and shall not be

construed, to enlarge the scope of the DEIR beyond what has been expressly identified in this certificate.

Circulation

In accordance with 301 CMR 11.16, the Proponent should circulate the DEIR to each Person or Agency who commented on the EENF, each Agency from which the project will seek Permits, Land Transfers or Financial Assistance, and to any other Agency or Person identified in the Scope. Pursuant to 301 CMR 11.16(5), the Proponent may circulate copies of the DEIR to commenters in a digital format (e.g., CD-ROM, USB drive) or post to an online website. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first come, first served basis. A copy of the DEIR should be made available for review in the Everett and Boston Public Libraries.

October 25, 2024

Date



Rebecca L. Tepper

Comments received:

09/17/2024 Sprague Operating Resources LLC/Hartree Partners
 09/19/2024 City of Chelsea
 09/20/2024 Mass Mobility Hub, Inc.
 09/23/2024 Massachusetts Manufacturing Extension Partnership (MassMEP)
 09/23/2024 Massachusetts Port Authority (Massport)
 09/24/2024 Massachusetts Department of Environmental Protection (MassDEP)/Waterways Regulation Program (WRP)
 09/27/2024 Massachusetts Department of Transportation (MassDOT)
 10/04/2024 Boston Harbor Now
 10/04/2024 Environmental League of Massachusetts
 10/15/2024 Massachusetts Water Resources Authority (MWRA)
 10/17/2024 Maritime Alliance in Defense of Designated Port Areas
 10/17/2024 Mystic River Watershed Association/Everett Community Gardeners/La Comunidad, Inc.
 10/17/2024 Stephen Henry Kaiser
 10/18/2024 City of Everett
 10/18/2024 Conservation Law Foundation
 10/18/2024 Office of Coastal Zone Management (CZM)
 10/18/2024 Massachusetts Department of Environmental Protection (MassDEP)/Northeast Regional Office (NERO)
 10/18/2024 Water Resources Commission (WRC)
 10/25/2024 Department of Energy Resources (DOER)

RLT/AJS/ajs



September 17, 2024

Hon. Rebecca L. Tepper, Secretary
Executive Office of Energy and Environmental Affairs (EOEEA)
c/o Massachusetts Environmental Policy Act (MEPA) Office
100 Cambridge St., Suite 900
Boston, MA 02114
Attn.: Alexander Strycky

RE: Everett Docklands Innovation District and Trimount Energy Storage Facility / EEA# 16867

Dear Secretary Tepper:

Sprague Operating Resources LLC owns over 10 acres of land at 43 Beacham Street in Everett, Massachusetts. Our land is largely surrounded by the proposed "Trimount Energy Storage Facility" at 52 Beacham Street. Please accept these comments on the Expanded ENF (EENF) referenced above, published on August 23, 2024, in the Environmental Monitor. We support the City of Everett's strong opposition to development of the proposed Trimount Energy Storage Facility.

Historically, Sprague has operated a bulk liquid asphalt storage and handling facility at this property, but, in accordance with the City of Everett's master plan to fundamentally transform the neighborhood, we plan to redevelop our land with non-industrial uses. The city's ultimate vision for the area surrounding the proposed waterfront soccer stadium is a mixed-use commercial neighborhood that will mean that Everett will be newly able to offer an urban neighborhood that other inner communities close to Boston already feature. For years, Everett has suffered from a lack of private investment near its waterfront. Due to the heavy concentration of industry, many residents live unaware that Everett sits on three bodies of water.

The proposed site of the Trimount Energy Storage Facility is located within one mile of communities that meet Environmental Justice (EJ) criteria. The U.S. Environmental Protection Agency's (EPA) "EJ Screen" for the site indicates the following percentile rankings for the "Project Buffer Area," which is all land within one mile of the site:

- 41st percentile for PM2.5
- 36th percentile for Ozone
- 86th percentile for NATA Diesel PM
- 92nd percentile for Nitrogen Dioxide (NO2)
- 77th percentile for Toxic Releases to Air
- 95th percentile for Traffic Proximity (count of vehicles per day at major roads divided by the distance)



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- 20th percentile for Lead Paint Indicator (percent of housing built before 1960)
- 41st percentile for Superfund Proximity (count of National Priorities List/Superfund sites divided by the distance)
- 81st percentile for RMP Proximity (count of facilities with Risk Management Program divided by the distance)
- 94th percentile for Hazardous Waste Proximity (count of transfer, storage, and disposal facilities (TSDFs) and Large Quantity Generators (LQGs) divided by the distance)
- 85th percentile for Underground Storage Tanks (USTs)
- 93rd percentile for Wastewater Discharge Indicator (toxicity-weighted concentration/meter)
- 0th percentile for Drinking Water Non-Compliance

According to the EENF, the proposed Trimount Energy Storage Facility will itself not result in “Damage to the Environment,” a defined term, nor will it generate GHG emissions, and it will generate negligible traffic and wastewater, and use negligible amounts of water. Even accepting those findings as true, the nature of the proposed land use flies in the face of the City of Everett’s efforts to replace what has long been a monoculture of industrial uses along its entire waterfront. Trimount’s 20-acre site is in the heart of what the City envisions as becoming a vibrant, mixed-use neighborhood, yet Trimount’s proposed facility will only employ a handful of people. The Trimount project effectively seals the fate of Sprague’s 10 acres next door, by making it practically impossible for us to redevelop and attract investment and occupancy for mixed, urban uses.

Thank you for accepting our comments.

Sincerely,

Joseph Ginex

Head of Development

Sprague Operating Resources LLC/Hartree Partners



CITY OF CHELSEA, MA Executive Department

City Hall, 500 Broadway, Chelsea, MA 02150
Phone: 617.466-4100 · Fax: 617.466-4105



Fidel A. Maltez
City Manager
fmaltez@chelseama.gov

September 19, 2024

Massachusetts Environmental Policy Act (MEPA) Office
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear MEPA Office:

I am writing on behalf of the City of Chelsea to express the City's support for Everett Landco and their plans to develop the Everett Docklands Innovatino District through the remediation and redevelopment of the former ExxonMobil refinery and tank farm at 52 Beacham Street in Everett, Massachusetts. We also support Jupiter Power's plans to construct a Battery Energy Storage System (BESS) as the first phase of development.

Jupiter Power's planned Battery Energy Storage System (BESS) facility aims to enhance energy storage capacity, facilitating the integration of future offshore wind projects. This initiative is a significant step in transforming Everett from a traditional industrial hub into a vibrant center for technology and innovation. We see several Key Benefits to this project:

- **Support for Green Energy Infrastructure:** The facility will play a crucial role in decarbonizing the energy grid and enhancing its resilience, aligning with the Commonwealth's sustainability goals.
- **Economic Transition:** By fostering a new era of green technology companies, Everett Landco is poised to attract investment and create job opportunities, further diversifying the local economy.
- **Community Impact:** This development not only supports environmental initiatives but also positions Everett as a leader in the clean energy sector, promoting a sustainable future for the community.
- **The BESS facility represents the first of many green-tech ventures planned for the area, signaling a commitment to innovation and sustainable growth.**

In summary, we support Everett Landco's ambitious efforts to restore this area and redevelop it into a 21st century economy with a focus on green technologies. We look forward to seeing the progress continue and the significant benefits this project will bring to the community. Thank you for your attention to this matter.

Sincerely,

Fidel A. Maltez
City Manager



View Comment

Comment Details

EEA #/MEPA ID

16867

Comments Submit Date

9-20-2024

Certificate Action Date

9-23-2024

Reviewer

Alexander Strysky, (857)408-6957, alexander.strysky@mass.gov

First Name

Jamey

Last Name

Tesler

Phone

--

Email

jtesler@massmobilityhub.com

Address Line 1

1 Broadway

Address Line 2

--

State

MASSACHUSETTS

Zip Code

02142

Organization

Mass Mobility Hub

Affiliation Description

Individual

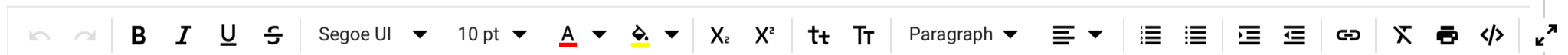
Status

Opened

Comment Title or Subject

Topic: Support Letter

Comments



September 20, 2024

Massachusetts Environmental Policy Act (MEPA) Office

Executive Office of Energy and Environmental Affairs (EEA)

100 Cambridge Street, Suite 900

Boston, MA 02114

Subject: Everett Docklands Innovation District-Support for Remediation and Redevelopment of the Former ExxonMobil Refinery and Tank Farm in Everett, MA

Dear MEPA Office:

I am writing on behalf of the Mass Mobility Hub to express our strong support for Everett Landco and their plans for the Everett Docklands Innovation District through the redevelopment and remediation of the the former ExxonMobil refinery and tank farm at 52 Beacham Street in Everett, Massachusetts. In particular, I am writing to express our strong support for Jupiter Power's plans to construct a Battery Energy Storage System (BESS) as the first phase of development.

For background, the Mass Mobility Hub (MMH) is a recently created public benefit corporation under M.G.L.Ch.156E. Our mission is to bring together leading mobility companies, entrepreneurs, policy makers and thought leaders to advance sustainable transportation solutions. The public benefit we seek to create is a dynamic transportation ecosystem that fosters talent, collaboration, innovation, and economic growth in the Commonwealth. Through our efforts, we aim to drive forward the development and deployment of cutting-edge technologies and services that support a cleaner, more efficient and more equitable transportation system for all.

To achieve this mission, MMH has launched a battery roundtable, which has begun meeting to support the overall battery industry and ecosystem in the Commonwealth. As part of this roundtable, and consistent with our mission, we are supportive of finding innovative ways to permit and built battery sites (for research and development, testing and battery storage and usage).

For these reasons, we believe that the overall redevelopment plan for the Former ExxonMobil Refinery and Tank Farm strongly supports these goals. In particular, we believe that the BESS plan is an important initiative for the overall climate tech and mobility ecosystem in the Commonwealth.

As noted in the submission, the BESS plan states:

-Jupiter Power's planned BESS facility will provide energy storage capacity to support future offshore wind projects, helping Everett evolve from a local industrial economy to a new center for technology and innovation companies.

-The support of green energy infrastructure will help to decarbonize and build resiliency into the grid-a major need and focus in the Commonwealth.

-Provides an important model and example for future battery implementations and overall permitting and development in the climate tech industry.

In summary, we support Everett Landco's efforts to restore this area and redevelop it into a 21st century economy with a focus on climate tech and the battery industry. We look forward to seeing the progress continue and the significant benefits this project will bring to the community. Thank you for your attention to this matter.

Sincerely,

Jamey Tesler

Executive Director

Mass Mobility Hub, Inc.

Attachments

Update Status

Status

Opened ▼

SUBMIT

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September 23, 2024

Massachusetts Environmental Policy Act (MEPA) Office
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge Street, Suite 900
Boston, MA 02114

Subject: Everett Docklands Innovation District - Support for the Remediation and Redevelopment of the Former ExxonMobil Refinery and Tank Farm in Everett, MA

Dear MEPA Office,

I am writing on behalf of MassMEP to express our strong support for Everett Landco and their plans to develop the Everett Docklands Innovation District through the remediation and redevelopment of the former ExxonMobil refinery and tank farm at 52 Beacham Street in Everett, Massachusetts. We also support Jupiter Power's plans to construct a Battery Energy Storage System (BESS) as the first phase of development.

Please note the following:

Remediation

- The 100-acre site and surrounding area have a long history of industrial use and contamination.
- The comprehensive brownfield remediation will restore this land and bring substantial benefits to the immediate community and larger economy.
- Everett Landco will decommission the above ground storage tanks, demolish the existing structures, remediate the oil-contaminated soils, and raise the elevation of the parcels to 2070 resiliency levels to position the land for redevelopment.
- We support Everett Landco's extensive efforts to restore and protect this district.

Redevelopment

- Located less than three miles from Downtown Boston, the former refinery and oil storage tank farm presents an opportunity for redevelopment and significant investment in Everett, a gateway city and environmental justice community with a historically industrial-focused economy.
- Everett Landco's vision for the site includes new residential neighborhoods and new high-tech research and development and manufacturing space.
- The catalytic redevelopment will bring thousands of new jobs to the area and help usher in a larger redevelopment of the district and a more resilient economy.
- We also support the ample public space and amenities that are part of the design as the walls and fences of the tank farm are removed and the land is returned to the community.

Battery Energy Storage System Facility

- Jupiter Power's planned Battery Energy Storage System (BESS) facility will provide energy storage capacity to support future offshore wind projects, helping Everett evolve from a local industrial economy to a new center for technology and innovation companies.

- The support of green energy infrastructure will help to decarbonize and build resiliency into the grid – a major focus for the Commonwealth.
- The battery facility is the first of many planned green-tech companies that Everett Landco hopes to bring to the new district.

In summary, we support Everett Landco's ambitious efforts to restore this area and redevelop it into a 21st century economy with a focus on green technologies. We look forward to seeing the progress continue and the significant benefits this project will bring to the community. Thank you for your attention to this matter.

Sincerely,



Kathie Mahoney
President
MassMEP



Massachusetts Port Authority
One Harborside Drive, Suite 200S
East Boston, MA 02128-2909
Telephone (617) 568-1000
www.massport.com

September 23, 2024

Secretary Rebecca Tepper
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Alex Stryisky, EEA #16867
100 Cambridge Street, Suite 900
Boston, MA 02114

**Subject: Everett Docklands Innovation District and Trimount Energy Storage Facility –
Expanded Environmental Notification Form (EEA #16867)**

Dear Secretary Tepper:

On behalf of the Massachusetts Port Authority (Massport), thank you for the opportunity to provide comments on the Expanded Environmental Notification Form (EENF) for the Everett Docklands Innovation District and Trimount Energy Storage Facility project (the Project) located at 52 Beacham Street, in the City of Everett. Everett Landco LLC and Trimount ESS LLC, c/o Jupiter Power LLC (the Proponents) propose a Master Plan Project consisting of a mixed use development including 7.2 million square feet of industrial, high-tech manufacturing, lab/office, retail, and residential space. The Project also includes the Trimount Energy Storage Facility, which will provide up to 700 MW of energy storage capacity. The proposed Project will advance in two phases with Phase 1 consisting of the Energy Storage Facility, followed by the remaining Master Plan Project development program.

Massport's main aviation priority is to ensure aircraft are able to operate in a safe and efficient manner in and around Logan Airport. The Project site is approximately 2.5 miles from the closest runway end at Boston Logan International Airport and therefore of interest to Massport and the Federal Aviation Administration (FAA) due to potential impacts to Logan flight operations. Massport is obligated by the FAA to ensure new development around the airport is compatible with airport operations. In coordination with the FAA, Massport has prepared and widely circulated the [Boston-Logan International Airport Composite Map of Critical Airspace Surfaces](#) ("Logan Airspace Map") that defines critical airspace around Boston Logan International Airport to protect flight corridors in and out of Logan Airport. The Logan Airspace Map was created by Massport, with input from airlines, pilots, city officials, and the FAA, to help guide developers and regulatory authorities to safely build to maximum structure heights without compromising air travel safety. Based on Massport's review of the Project, the proposed structures may exceed the height limits allowed under the Logan Airspace Map depending on where they are located on the site.

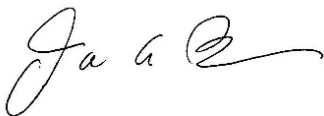
The Proponent notes in the EENF Summary of Project Size and Environmental Impacts the maximum height of structures at 370 feet. Additionally, Figure 1.6 of the EENF represents a building footprint and use diagram for the Proposed Master Plan, but does not include any specific building heights. The Logan Airspace Map for the project site has height limits between approximately 265 to 365-feet above mean sea level (NAVD 88 datum). Generally, residential buildings have smaller footprints and greater heights than commercial and industrial buildings. The Logan Airspace Map height limits where residential buildings are located on the Proposed Master Plan (Fig. 1.6) range from approximately 288-feet to 300-feet (NAVD 88), which is well below the maximum 370-feet noted in the EENF.

The Proponent has indicated in the Traffic Impacts and Permits section of the EENF that they will file the appropriate forms with the FAA as needed for any penetrations of approach airspace of a nearby airport. The Proponent must work with Massport early in the design phase and prior to submitting a Form 7460 to the FAA, to ensure that project buildings and all building elements such as solar panels, parapet walls, roof-top equipment, elevator over-rides, lighting, signs, and antennae do not exceed the critical airspace limits. The Proponent must also work with Massport during the selection of construction cranes to minimize the extent and duration of construction crane impacts on Logan's airspace. After coordinating with Massport, the Proponent is required to submit the FAA Form 7460. Please note that the evaluation of building heights for the purpose of air space limits will be based upon the NAVD88 vertical datum.

Thank you for your consideration of our comments and we look forward to meeting with the Proponent on these important airspace issues. Massport reserves the right to comment on future filings with the MEPA Office and other project related information available to the public. Please do not hesitate to contact me at (617) 997-6223 or at jbarrera@massport.com if you wish to discuss any of our comments.

Sincerely,

Massachusetts Port Authority



Joel Andres Barrera
Director, Strategic and Business Planning
Massachusetts Port Authority

cc: F. Leo, S. Gongal, B. Washburn, C. Busch/Massport
S. KrueI, VHB



Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Memorandum

To: Alexander Strysky, MEPA

From: Susan You, Waterways Regulation Program, MassDEP/Boston

Cc: Daniel J. Padien, WRP Program Chief

Re: **Comments from the Chapter 91 Waterways Regulation Program — EEA #16867**
Expanded Environmental Notification Form (EENF) – Everett Docklands Innovation District and Trimount Energy Storage Project, Everett, Middlesex County

Date: September 24, 2024

The Department of Environmental Protection Waterways Regulation Program (the “Department”) has reviewed the referenced EENF (EEA #16867), submitted by VHB, Inc. on behalf of the Everett Landco, LLC and Trimount ESS LLC, c/o Jupiter Power LLC (“Proponents”) for the Everett Docklands Innovation District and Trimount Energy Storage project. The proposed project consists of the construction of a battery energy storage facility and a mixed-use development on Filled Tidelands of the Mystic River within the Mystic River Designated Port Area (DPA) Project at 52 Beacham Street and 0 South Farm, Everett, Middlesex County (the “project site”). The project described in the EENF will be implemented in two phases with the construction of the energy storage facility as Phase I.

Chapter 91 Jurisdiction:

The EENF describes an energy storage project of approximately 20.7 acres, of which only approximately 23,000 square feet (0.53 acres) are located within a geographic area subject to M.G.L. Chapter 91, comprised of filled private tidelands in the Mystic River Designated Port Area (DPA). The 23,000 square feet of the energy storage project subject to Chapter 91 was the subject of Jurisdictional Determination (JD) WW04-0000027 issued by the Department on March 8, 2024. The JD confirmed (i) the location of historic high water (HHW) mark traversing the project site, (ii) that the entirety of the filled tidelands on the project site are subject to Chapter 91 because these filled tidelands are within a DPA; and (iii) that the proposed energy storage facility uses are

consistent with the definition of Water-Dependent Industrial (WDI) Uses in a DPA stipulated in 310 CMR 9.12(2)(b)(9) and (10).

The Proponents identified Harbor and Land Commissioners License No. 2162, issued on July 19, 1898 as authorization for the original filling of the site. Lastly, the Department approved (under Chapter 91) the demolition and removal existing fuel storage bunker tanks, efforts to stabilize past releases of oil and hazardous materials at the site and placement of clean fill to serve as a cap and to, in part, address predicted sea level rise as a minor project modification on March 19, 2024 through No. 24-WWAR-0012-APP.

Water Dependency:

In JD WW01-0000027, the Department found that the proposed energy storage facility is consistent with the definition of Water Dependent Industrial Uses pursuant to 310 CMR 9.11(2) and 310 CMR 9.12. The proposed associated infrastructure (i.e., the Gen-Tie Line and other required elements) appear to be consistent with the definition of Accessory to a Water Dependent Industrial Use at 310 CMR 9.12(3)(b).

Chapter 91 Regulatory Analysis:

The Department is providing these preliminary comments on the project based on the description in the EENF as guidance for future MEPA filings and development of the Chapter 91 license application. Please be advised that these comments are based on the information available at this time, and that a full technical review of the project relative to the applicable Chapter 91 regulatory standards will take place during the Chapter 91 licensing process.

The Department confirms that the structures and fill proposed within Chapter 91 jurisdiction require a License. The Proponent discussed regulatory compliance of the project in Section 5.4 of the EENF and it appears that the proposed project complies with the applicable standards at 310 CMR 9.00, including the provisions at 310 CMR 9.32(1)(b) and 9.36(5) governing fill and structures in a DPA.

The Department acknowledges the Proponents' effort to conduct an analysis on how the project design improves the climate resilience of the project site based on the output report, including the various projected 2070 flood elevations, from the Resilient Massachusetts Action Team (RMAT) Climate Resilience Design Standards Tool (the "RMAT Tool"), which utilizes the Massachusetts Coast Flood Risk Model (MC-FRM). The EENF (Section 9 and Appendix B) reports that the project has been designed to withstand the predicted precipitation resulting from extreme bad weather as the Phase 1 Project Site will be raised above the elevation of the 2070 1% annual chance event (ACE) flood and critical project elements will be elevated on pads above the 2070 0.2% ACE wave action elevation and designed with redundant waterproofing.

The EENF states approximately 340 linear feet of the underground Gen-Tie line is proposed within Chapter 91 jurisdiction to connect the proposed energy storage systems via a new underground conduit within filled former tidelands in a public right-of-way with an existing energy generation facility. The EENF describes this connection as crucial for continuously delivering wind-generated power from energy storage systems into a large transmission system ultimately leading to the regional electric grid and in turn, support energy goals of the State. The EENF reports that Department approval for this underground utility connection will be sought as a Minor Project Modification under the provisions of 310 CMR 9.22(3). The Department has no objection to this approach.

The Department recommends that the subsequent MEPA filing include a plan delineating the area of the project and specifies where any fill, structures or activities will occur within Chapter 91 jurisdiction, and specifies whether any portion of the Phase I work is located within EJ communities.

The Department is available for consultation prior to preparation and submittal of the subsequent MEPA filing and/or prior to submittal of a Chapter 91 application upon request. Please contact susan.you@mass.gov if there are any questions.



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbitts-Nutt, Acting Secretary & CEO



September 27, 2024

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2150

RE: Everett: Everett Docklands Innovation District & Trimount Energy Storage Facility
(EEA# 16867)

ATTN: MEPA Unit
Alex Strysky

Dear Secretary Tepper:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Expanded Environmental Notification Form filed for the Everett Docklands Innovation District & Trimount Energy Storage Facility project in Everett as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

A handwritten signature in blue ink that reads "David J. Mohler". The signature is written in a cursive, flowing style.

David J. Mohler
Executive Director
Office of Transportation Planning

DJM/jll

cc: Jonathan Gulliver, Administrator, Highway Division
Carrie Lavallee, P.E., Chief Engineer, Highway Division
Paul Stedman, District 4 Highway Director
John McInerney, P.E., District 6 Highway Director
James Danila, P.E., State Traffic Engineer
Massachusetts Bay Transportation Authority (MBTA)
Boston Region Metropolitan Planning Organization
Metropolitan Area Planning Council
Planning Department, City of Everett
Boston Transportation Department (BTD)
Planning Department, City of Somerville



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbitts-Nutt, Acting Secretary & CEO



MEMORANDUM

TO: David J. Mohler, Executive Director
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E., Manager
Public/Private Development Unit

DATE: September 27, 2024

RE: Everett – Everett Docklands Innovation District & Trimount Energy Storage Facility (EDID) – EENF
(EEA #16867)

The Public/Private Development Unit (PPDU) has reviewed the Expanded Environmental Notification Form (EENF) for the Everett Docklands Innovation District & Trimount Energy Storage Facility (EDID) Project in Everett as submitted by Everett Landco, LLC and Trimount ESS LLC, c/o Jupiter Power LLC (the “Proponent”). The EDID project proposes the construction of approximately 7.2 million square feet (sf) of development with a mix of industrial, high-tech manufacturing, lab/office, retail, maker, and residential space, as well as the Trimount Energy Storage Facility, which will provide up to 700 megawatts (MW) energy storage capacity and include 5,800 sf of associated office/storage building space (“Project”).

The Project is expected to be built in two phases. Phase 1 includes the construction of the Trimount Energy Storage Facility including associated infrastructure. Phase 2 consists of the construction of the 7.2 million sf mixed use development, which will include approximately 400,000 sf of industrial space, 400,000 sf of high-tech manufacturing space, 3,300,000 sf of lab/office space, 240,000 sf of retail space, 36,000 sf of maker space, and 2,815,000 sf of residential space (approximately 3,200 residential units) with ancillary roadways, and 5,589 additional parking spaces. The Project requires a Vehicular Access Permit from MassDOT.

The Phase 1 Project will occupy two parcels totaling 20.4 acres: Parcel C immediately north of Beacham Street and Parcel A immediately to the south of Beacham Street. Each parcel has frontage on Beacham Street, which serves as access for vehicles and for utilities. The Phase 2 Project Site to be built on approximately 65.6 acres, is generally surrounded by commercial facilities to the east and west, industrial facilities to the south and a mix of residential, retail and recreational spaces to the north.

The Project exceeds MEPA Transportation thresholds (generation of 3,000 or more new average daily traffic (ADT) and construction of 1,000 or more new parking spaces). The Proponent is requesting a Phase I waiver to proceed with the Trimount Energy component of

the Project; the balance of the Project will be reviewed in subsequent Draft Environmental Impact Report (EIR) and Final EIR filings. The Trimount Energy including associated infrastructure does not trigger any review thresholds, nor require any transportation-related permit. In addition, the Phase 1 trip generation is not expected to have any significant impacts on the transportation system according to information included in the EENF. MassDOT therefore does not object to the Proponent Phase 1 waiver request; however, the following comments should be included in the Draft Record of Decision.

The Master Plan Project in the other hand will have significant impacts on the transportation system and requires a MassDOT Vehicular Access Permit. Based on information included in the EENF and using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th edition) land use codes (LUCs) 221 – Multi-Family Housing Mid-Rise, 710 – General Office, 760 - Research and Development, 820 – Shopping Center, 140 - Manufacturing, and 130 – Industrial Park, Phase 2 of the Project is estimated to generate 62,474 unadjusted vehicle trips on an average weekday, including 4,439 vehicle trips during the weekday morning peak hour and 4,984 vehicle trips during the weekday evening peak hour.

The DEIR should include a TIA prepared in conformance with the current MassDOT/EOEEA *TIA Guidelines*. The TIA should include a comprehensive multimodal assessment of the transportation impacts of the project. It should provide capacity analyses for the existing conditions, future No-Build conditions, and future Build conditions within the study area. The future Build conditions should include an analysis of operations both with and without any improvements suggested to mitigate project impacts. The study should propose a mitigation package intended to reduce vehicular travel while supporting increased use of carpooling, walking, bicycling, and transit by residents, employees, and visitors. Items listed below should be accounted for in preparing the TIA.

Study Area/Trip Distribution

The Project trips should be assigned to the intersections and study area roadways based on the anticipated directional distribution of patrons or customers, considering populations of nearby towns and regional travel to and from the site. The TIA should include a network map and shows the percentages of traffic assigned to each roadway link and each intersection for the anticipated trip generation. The EENF has identified a study area as shown in Figure 7-1 consisting of several intersections identified for the Master Plan Program TIA.

The Proponent should consult with MassDOT to finalize the study area for the Project.

Horizon Year

Based on the development program included in the EENF, MassDOT would recommend that a minimum 10-year horizon be used for the TIA. This would also enable

MassDOT to adequately evaluate the associated area transportation system improvements and the TDM program for their effectiveness at full occupancy.

Traffic Operations

Capacity analyses should be conducted for the weekday morning, evening peak hours, and the Saturday peak hour for both existing and future conditions. In addition, capacity analyses for Build with mitigation conditions should be provided for all intersections, particularly those with impacts to the state highway system. The TIA should provide illustrations depicting the peak hour 50th (average) and 95th percentile queue lengths for each lane group/turning movement at each study area intersection. The information contained in these illustrations should clearly demonstrate that the Project would not result in any extended queues that would block vehicle movements to/from study area intersections, particularly those involving state highways. Appropriate mitigation should be identified at any locations where queue blockages occur. Color-coded illustrations should also be prepared depicting the level of service (LOS) for each lane group/turning movement for each case.

A traffic signal warrant study (TSWS) should be performed, and the need documented for any locations where signalization is being proposed, including site driveway intersections with the public roadway system. A left-turn lane warrant analysis should be conducted, and the need documented for any locations where the addition of such a lane is being proposed, including at site driveways.

The need for off-site traffic improvements required as a result of the Project's traffic increases will be assessed through the environmental review process. MassDOT recommends that the Proponent discuss the transportation impacts of the Project with MassDOT prior to the submittal of the TIA.

Safety

The TIA should include a safety analysis with the crash history derived from the latest information available on the MassDOT crash portal at each intersection in the study area. The analysis should identify all intersections that are above the State and Districts 4 and 6 average crash rates. The Proponent should review the crash data to identify opportunities for low-cost improvements that could help reduce these crashes. The MassDOT Highway Safety Improvement Program (HSIP) crash location map should be reviewed to determine if there are any crash clusters in the study area. As applicable, the Proponent should consult with MassDOT as to the need to conduct any additional road safety audits (RSA).

Transit Analysis

The MBTA currently operates rapid transit service near the site and bus service directly to the site. The DEIR should contain a comprehensive transit analysis that would estimate the

additional demand generated by the Project. Once those travel demand and transit trip generation rates are developed and applied to the Project, the DEIR should address the following issues:

Impacts to Existing Transit Service:

The DEIR should contain an assessment of how riders, particularly during the MBTA peak periods, are expected to access the facility via transit. The DEIR should estimate what additional new ridership on the Orange Line can be anticipated and what time of day those impacts would occur. The Proponent should work with the MBTA Service Planning Department to ensure that it has access to the most recent and most relevant ridership and operational statistics for the Orange Line.

The DEIR should also provide information as to how the Proponent plans on demonstrating how employees and residents who choose to use the Orange Line will get from the site to the rapid transit station. Additional planning studies such as the Silver Line Extension Analysis and the Bus Network Redesign should be considered in evaluating future transit needs for the study area.

Impacts to MBTA Bus Service:

As described above, the MBTA currently operates extensive bus service near the site and the project anticipates substantial transit mode share. The TIA should contain an analysis of additional transit demand generated by the project and the capacity on the MBTA bus routes proximate to the project site. Once the transit trip generation is developed and applied to the network, the TIA should address the following issues:

The analysis should be compliant with the MBTA's Office of Performance Management and Innovation's (OPMI) methodology for calculating the existing, future No-Build, and future Build comfort metrics (as evaluated in the Service Delivery Policy [SDP]) for each bus route within the project study area. Mitigation should be proposed for:

- Any bus route receiving new passengers that falls below the 96% route-wide minimum threshold for the SDP comfort metric (share of passenger travel time experienced in comfortable conditions);
- Any trip for which the new passengers would cause the trip to exceed the threshold; and/or
- Any trip which was already above the crowding threshold and to which new passengers would be added.

The Proponent should coordinate with MassDOT PPDU and MBTA Service Planning in advance of proposing of potential solutions to offset these project-related impacts. The TIA should show how residents, employees, and visitors using the bus network will travel between the site and the bus stops. The TIA should show how pedestrian crossings and bus stops can be coordinated to ensure safe, accessible travel for bus customers. The Proponent should present the

existing conditions on routes between nearby bus stops and the project site and how those conditions should be upgraded/improved to ensure a fully accessible path of travel for all customers. The TIA should also identify and document transit improvement proposals under evaluation by MassDOT, the MBTA, and the City of Everett. Mitigation proposed for the project should be consistent with the ongoing transit improvement initiatives of these agencies.

Pedestrian Access

The DEIR should provide a thorough inventory of all existing, planned, and proposed services, facilities, and routes for accessing the site. It should also provide an evaluation of the network to include pavement conditions, sidewalk widths, crosswalks, compliance with current accessibility standards, and existing pedestrian volumes and movements. The Project should work closely with MassDOT and DCR to provide a seamless connection between the existing and planned pedestrian facilities that span across multiple jurisdictions.

Bicycle Access

The TIA should include a detailed inventory of the bicycle network to include bikeway types, bikeway widths, and bicycle numbers and speeds. The Proponent should identify the likely travel routes for bicyclists within the study area. The degree to which these routes can safely support bicycle travel should also be examined. The TIA should reevaluate these routes based on the origin-destination of potential residents, employees, and visitors. Based on this analysis, the Proponent should consider the feasibility of expanding some of these existing routes or considering new routes to encourage bicycle travel in and around the site. The Proponent should work closely with MassDOT and the City of Everett to provide a seamless connection between existing and planned bicycle facilities in the study area.

Parking

According to the EENF, the Project would include 5,589 new garage parking spaces. MassDOT finds the number of parking spaces excessive given that the Project's location in the area considered in the Lower Mystic Regional Working Group study that strongly recommended the reduction of parking to encourage alternative modes of transportation. The DEIR should clarify how the parking needs of the Project were determined and explain the methodology used to determine the total parking required. The Institute of Transportation Engineers' *Parking Generation* generally provides a reasonable basis for comparison to parking requirements under local zoning, but this reference does not present parking rates for this type of mixed land use. The Proponent should follow the guidance provided in the LMRWG study and consider for implementation strategies such as parking pricing or shared parking.

Transportation Demand Management (TDM)

The TIA should include a comprehensive TDM program that would implement measures aimed at minimizing single occupancy vehicle (SOV) to achieve a robust non-SOV mode share. The TDM program should further investigate measures that would maximize usage of existing and potential new pedestrian, bicycle, and transit facilities. Such measures may include the following:

- Employment of a Transportation Coordinator to coordinate efforts, monitor success rates, and manage strategic implementation of traffic reduction programs.
- Staggering employee shifts to avoid the peak hour.
- Carpool/vanpool matching programs.
- Dissemination of promotional materials about the TDM program online.
- Participation in the MBTA Corporate Pass Program to the extent practical and as allowable pursuant to commercial tenant lease requirements.
- Electric vehicle charging stations within the proposed parking garage.
- Preferential parking for alternatively fueled vehicles.
- Offering a “Guaranteed-Ride-Home” in case of emergency to employees that commute to the Project by means other than private automobile.
- Discounted Bluebikes memberships.
- Rideshare program which allows employees to find other users who are commuting.

Transportation Monitoring Program

The Proponent will be required to conduct an annual traffic monitoring program for a period of five years, beginning six months after occupancy of Phase 2 of the project. The goals of the monitoring program will be to evaluate the assumptions made in the EIR and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program. It would include:

- Simultaneous automatic traffic recorder (ATR) counts at each site entrance for a continuous 24-hour period on a typical weekday;
- Travel survey of residents, employees, and visitors at the site (to be administered by the Transportation Coordinator);
- Weekday AM and PM peak hour turning movement counts (TMCs) and operations analysis at “mitigated” intersections, including those involving parking entrances; and
- An update on TDM effectiveness and transit ridership.

In light of the comments above, MassDOT recommends that the Proponent works closely with MassDOT during the preparation of the DEIR to address these issues and identify appropriate mitigation measures for the Project. If you have any questions regarding these comments, please contact me at *Lionel.Lucien@dot.state.ma.us*.



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October 4, 2024

Via email: alexander.strysky@mass.gov

Massachusetts Environmental Policy Act Office
Attn: Mr. Alex Strysky, Environmental Analyst
100 Cambridge Street
Boston, MA 02114

Re: *Everett Docklands Innovation District & Trimount Energy Storage Facility EENF*

Dear Mr. Strysky,

Boston Harbor Now respectfully submits the following comments on the Everett Docklands Innovation District & Trimount Energy Storage Facility Expanded Environmental Notification Form (EENF) submitted by the Everett Landco and Trimount ESS.

Boston Harbor Now advocates for climate resiliency measures that contribute to district-scale flood protection and improve ecosystem services while activating the waterfront by facilitating public programming, ensuring equitable access, and supporting the regional economy. We are a long-time champion of working waterfronts, with their unique requirements for deep water access and specialized jobs, and are committed to ensuring that the waterfront we build today is designed for a more resilient and inclusive future. We envision that Designated Port Areas (DPAs) will support the existing and future marine industries that strengthen our region and prepare for the challenges climate change will bring. We expect robust port areas to work with their neighboring communities and provide residents with jobs, educational opportunities, and public access where safe and appropriate that allow both to flourish.

Our organization met with the proponent regarding their project, and most recently, staff attended the September 17, 2024 site visit and subsequent hybrid meeting, and a discussion of the project organized by Kate Harson, Environmental Justice Liaison for the Massachusetts Environmental Policy Act Office. We appreciate this opportunity to provide comments.

The Designated Port Area

According to the EENF, the Phase 1 Project proposes to build a Battery Energy Storage System (BESS), “two on-site open-air substations, two small buildings for personnel and equipment storage totaling 5,800 sf, and a generation interconnect (Gen-Tie) line that will link the facility to the Eversource Substation 250...” The wind-generated clean energy will be delivered to the BESS via “undersea transmission cables making landfall in the immediate vicinity of the BESS and in close proximity to the Mystic Substation and Gen-Tie Line Interconnection” according to the Department of Environmental Protection’s Determination of Applicability – 310 CRM 9.00. This new infrastructure will enable the use of offshore wind-generated power by “store[ing] electric power to be produced by an anticipated offshore wind project to be located off the Massachusetts coast.”

While we are supportive of the creation of the BESS, which will aid the Commonwealth’s transition to clean energy, we are unsure whether this is a water-dependent use. It is not clear how important it is to locate the batteries and other energy-related uses as close to where the power comes ashore as possible. If this is



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important, it should be explained in the proposal. Regardless of whether a BESS is a truly water-dependent use, we believe it is an important enough industrial use to warrant the occupation of the 0.53 acres of private tidelands within a DPA. We understand the urgency of clean energy development and recognize that the 0.53 acres of private tidelands within the DPA are part of a larger vision for the 20.7 acres of land intended for BESS usage. We also think that the offshore wind energy industry is an important 21st-century maritime industry. Given the importance of this project, we support the waiver for Phase 1.

Preparing for Climate Change Impacts

With Phase 1 containing critical infrastructure, including two on-site open-air substations, Boston Harbor Now wants to ensure that Phase 1 infrastructure will remain dry even in the most extreme circumstances in the future. Although the EENF states that “Phase 1 Project Site is elevated above the 2070 1% ACE flood. Critical project elements will be elevated on pads above the 2070 0.5% ACE...” and “The Phase 1 Project Site is within the area that would be protected from flooding” with the installation of the Island End River Flood Resiliency Project, we are concerned about the low elevation of the project site given the significance of the infrastructure and longer life span affiliated with the infrastructure. Should the timing of this project precede the Island End River Flood Resiliency Project, this site will be exposed to a major flood pathway that could damage critical infrastructure. Additionally, during the September 17, 2024 site visit and subsequent hybrid meeting, attendees raised concerns about flanking flood waters from the Mystic River, further highlighting the vulnerability of this site.

To understand how vulnerable the site is to coastal flooding, we hope to receive additional data and clarity on the expected life of the BESS and substations. If the design life extends beyond the Massachusetts Coast Flood Risk Model (through 2070), then Boston Harbor Now would like to see the proponent further elevate Parcel A of their Phase 1 site, which will be “remediated and graded to ... elevation 14 NAVD88”. We also recommend constructing the project in such a manner that allows for the construction of additional flood infrastructure should flooding become more extreme. For example, the pads, which “(c)ritical project elements will be elevated on..” should be designed to withstand coastal inundation just as the project elements are being designed with “redundant waterproofing.” We also request the proponent to delve further into the concern about flanking from the Mystic River and ensure that the timing of their project is coordinated with the delivery of the Island End River Project.

Beyond Phase 1

Phase 1 is just part of the larger Masterplan intended for this area. With “approximately 400,000 SF of industrial space, 400,000 SF of high-tech manufacturing space, 3,300,000 SF of lab/office space, 240,000 SF of retail space, 36,000 SF of maker space, and 2,815,000 SF of residential space (approximately 3,200 residential units) with ancillary roadways, parking and open space” coming to Everett, we hope to see the proponent actively engage with the local community. New development at this scale has the potential to bring exciting new community amenities along with detrimental impacts, and the community needs to have a say in all aspects of the master plan.

We anticipate a significant increase in traffic for this area, especially with other developments proposed nearby. If any additional new projects come to this area,



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they should work with local and state officials along with the Everett Docklands proponent to create a holistic transportation mitigation plan. Mitigation for traffic impacts for Everett Docklands Masterplan might include the development or support of other modes of public transit. Should water transportation be pursued by other projects along the waterfront, we suggest that connecting landside public transit also be developed by this project, or others, to allow water transportation users to easily travel further inland.

In addition to the area outlined in the Masterplan, the proponents also own a docking area along the Mystic River. According to the proponent, this site is not contemplated as a part of this project because they do not currently have a specified use for it. Should the proponent find a use for the docking area, they stated that it will be added to the proposed Masterplan as a Notice of Project Change. Boston Harbor continues to need new infrastructure to support ferry operations, such as charging for refueling locations for electric or hydrogen ferries and repair facilities, and we welcome the opportunity to meet with the proponent to help identify potential uses for this area.

In conclusion, Boston Harbor Now supports the installation of the BESS, substations, and other proposed infrastructure to integrate clean wind energy into the grid if proximity to the cables is required. Though we are pleased to see this site being used for clean energy purposes, we hope the proponent will address the concerns about coastal flood resilience. The infrastructure proposed here will be critical and long-lasting, making its protection from climate impacts even more imperative. Phase 1 is just the kickoff to this Masterplan. Subsequent phases will have a tremendous impact to the local community and regional transportation network. We expect the proponent to engage community members and work to not only mitigate their impacts but also create a development that brings vital amenities to the surrounding communities. Although not mentioned during this filing, we look forward to following the proponent's plans for the docking area along the Mystic. Boston Harbor Now would be happy to discuss the site further with the proponent should they resume their interest in improving the site.

We appreciate the opportunity to comment on this project. Offshore wind will be vital to the Commonwealth's pursuit of decarbonization, and we hope that DPAs play a role and are protected accordingly.

We would be happy to speak with you further if there are additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Abbott".

Kathy Abbott
President and CEO
Boston Harbor Now



ELM

ENVIRONMENTAL LEAGUE
OF MASSACHUSETTS

October 4, 2024

Tori Kim
Director, Massachusetts Environmental Policy Act Office
Executive Office of Energy and Environmental Affairs

100 Cambridge Street, Suite 900
Boston MA 02114

RE: EEA No. 16867 - Everett Docklands Innovation District and Trimount Energy Storage Facility

Dear Ms. Kim,

The Environmental League of Massachusetts (“ELM”) is pleased to write in support of Jupiter Power’s proposed Trimount Energy Storage project in the City of Everett. Transitioning our electric grid to a net-zero future will require strategic deployment of new resources and repurposing of existing infrastructure to reduce carbon pollution, preserve grid reliability, and support clean, distributed generation. ELM strongly supports efforts to repurpose existing fossil fuel infrastructure to play a new role in a cleaner, more modern electric grid. The proposed remediation of this land will turn the decommissioned Exxon Mobile oil terminal, one of the most polluted parcels of land in eastern Massachusetts, into one of the largest battery storage projects in New England at around 700MW of capacity. The project will connect to the grid via two connections at the Mystic substation, and Jupiter will repurpose existing grid infrastructure, minimizing local construction impacts and costs.

Energy storage facilities enable the Commonwealth to build an electric grid that requires fewer redundancies (and related infrastructure) necessary for projected peak load, an important consideration for responsible land use, energy costs, and grid reliability. ISO-New England’s [2050 Transmission Study](#) projects that a modest reduction in peak load will create significant reductions in buildout costs, saving billions of dollars in unnecessary transmission infrastructure by 2050.

Storage procurement projects also enable faster and more calculated planning for decarbonization. Bringing storage projects online in concert with new renewable resources maintains grid reliability without an overreliance on peaker plants and other fossil fuel facilities. Projects like Trimount will help ensure that the Commonwealth does not have to

continue to maintain costly, polluting fossil fuel backups in areas where pairing renewable assets and storage can work in concert to meet demand.

Massachusetts prides itself on its record of climate leadership, leading the nation in many policy advances aimed at driving equitable and strategic decarbonization. In order to meet our emissions reduction goals, we must both deploy a diverse mix of clean resources at an ambitious pace and support the industries needed to make this transition possible. With this project, the Commonwealth can send a clear signal that we are truly committed to building a thriving green economy and a future-ready grid.

Thank you for your consideration. Please do not hesitate to contact me at aboydrabin@environmentalleague.org with any questions.

Sincerely,



Amy Boyd Rabin

Vice President of Policy
Environmental League of Massachusetts

CC:

Alex Strycky, Executive Office of Energy and Environmental Affairs
Stephanie Krueel, VHB





MASSACHUSETTS WATER RESOURCES AUTHORITY

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October 15, 2024

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge St, Suite 900
MEPA Office, Alexander Strysky
Boston, MA 02114

Subject: EOEAA #16867 – Expanded Environmental Notification Form
Everett Docklands Innovation District & Trimount
Energy Storage Facility, Everett, MA

Dear Secretary Tepper,

The Massachusetts Water Resources Authority (MWRA) appreciates the opportunity to comment on the Expanded Environmental Notification Form (EENF) submitted by Everett Landco, LLC (a Joint Venture led by Davis, in Partnership with Global Partners LP) and Trimount ESS LLC, c/o Jupiter Power LLC (the “Proponents”) for the proposed Everett Docklands Innovation District (EDID) and Trimount Energy Storage Facility (the “Project”) in Everett, Massachusetts. The Proponent proposes to redevelop an 86-acre former Brownfield site at 52 Beacham Street and 0 South Farm in the City of Everett (the “Project Site”). The Project Site was the former Exxon Mobil Terminal property and is bounded by active and former rail to the north, industrial development to the east and south, and industrial and residential development to the west. Nearby uses include the former Mystic Generating Substation, Encore Boston Harbor, the Gateway Center shopping area, and the New England Produce Center. The Exxon Mobil Terminal was a petroleum products distribution and bulk storage terminal that operated between 1965 and 2022. The terminal consisted of a light fuel (gasoline, diesel, and jet fuel) storage area known as the North Tank Farm (north of Beacham Street) and a heavy fuel oil and asphalt storage area known as the South Tank Farm (south of Beacham Street). The Project Site will undergo remediation in compliance with the Massachusetts Contingency Plan (MCP) as part of a separate process.

The EDID comprises the “Master Plan Project” and consists of a mixed-use development including approximately 7.2 million square feet (msf) of industrial, high-tech manufacturing, lab/office, retail, maker, and residential space, as well as the Trimount Energy Storage Facility (Phase 1 Project), which will provide up to 700 megawatts (MW) of energy storage capacity. The proposed redevelopment will be constructed in two phases. The Master Plan Project includes approximately 400,000 sf of industrial space, 400,000 sf of high-tech manufacturing space, 3,300,000 sf of lab/office space, 240,000 sf of retail space, 36,000 sf of maker space, and 2,815,000 sf of residential space (approximately 3,200 residential units) with roadways, parking,

and open space. The Phase 1 Project is comprised of the Trimount Energy Storage Facility, which includes 5,000 sf of office space and 800 sf of storage. The overall Project will generate approximately 1,062,000 gallons per day (gpd) of new wastewater.

The EENF under review is focused on the components of the Phase 1 Waiver Request and includes only conceptual level information about the Master Plan Project. MWRA understands that detailed analysis of the remainder of the Master Plan Project will be part of a future submittal to MEPA and looks forward to reviewing that information.

MWRA's comments on this EENF relate to wastewater issues and the need for Infiltration/Inflow (I/I) removal, Toxic Reduction and Control (TRAC) discharge permitting, and MWRA Enabling Statute Section 8(m) permitting.

Wastewater

The EENF states that the Master Plan Project will generate approximately 1,062,000 gpd of new wastewater but includes a breakdown of wastewater flows for the Phase 1 Project only. Phase 1 flows are 375 gpd and are associated with the battery energy storage system (BESS). To ensure that the Project's new wastewater flow does not increase system surcharging or overflows in large storms, the Proponent and City of Everett should ensure a 4:1 offset of the Project's new wastewater flow by removing stormwater and/or I/I from a hydraulically related system(s). Four gallons of extraneous flow should be removed for every gallon of new wastewater flow, in compliance with Massachusetts Department of Environmental Protection (MassDEP) and City of Everett I/I policies.

Given the significant amount of new wastewater flow associated with the Master Plan Project (approximately 1,062,000 gpd), sewer system modeling may be required to determine impacts on MWRA's existing sewer system. The future MEPA submittal for the Master Plan Project must include a detailed breakdown by use (office, retail, etc.) of sewer flows generated by the project and indicate where flows will enter the sewer collection system. The EENF states that given the large amount of new wastewater generated, it is anticipated that payment for mitigation will be required. The EENF further states that conservation measures including rainwater reuse are being considered for the future buildings.

Water Supply

The EENF states that projected domestic water demands for the Master Plan Project are based on sewage generation (approximately 1,062,000 gpd) with an added factor of 10 percent for consumption, system losses and other uses. Given the significant increase in water demand MWRA recommends that the Proponent coordinate closely with the City of Everett to evaluate the capacity of existing water infrastructure in this area. The EENF also states that the Phase 1 Project requires approximately 413 gpd. The future MEPA submittal for the Master Plan Project should include a breakdown of water demand by use (office, retail, etc.) and indicate how water will be supplied to the site.

TRAC Discharge Permitting

The discharge of contaminated groundwater from the Project Site into the MWRA sanitary sewer system generated solely for remediation purposes is prohibited pursuant to 360 C.M.R. 10.093(9).

MWRA prohibits the discharge of groundwater and stormwater into the sanitary sewer system, pursuant to 360 C.M.R. 10.023(1) except in a combined sewer area when permitted by the Authority and the local municipality. The Project Site has access to storm drains and is not located in a combined sewer area. Therefore, the discharge of groundwater or stormwater to the sanitary sewer system associated with this Project is prohibited.

Collectively, if a commercial company, power-generating company, manufacturing company, industrial company, and/or laboratory intends to move onto the Project Site and proposes to discharge industrial process, manufacturing, power generating wastewater, and/or laboratory wastewater to the sanitary sewer system, the proponent(s) must apply for an MWRA Sewer Use Discharge Permit. For assistance in obtaining this permit, the Proponent should contact Lanna Ng, Industrial Coordinator in the TRAC Department, at (617) 305-5641 or Lanna.Ng@mwra.com.

Section 8(m) Permitting

Section 8(m) of Chapter 372 of the Acts of 1984, MWRA's Enabling Legislation, allows the MWRA to issue permits to build, construct, excavate, or cross within or near an easement or other property interest held by the MWRA, with the goal of protecting Authority-owned infrastructure. Due to the proximity of MWRA infrastructure to the Project Site, an 8(m) permit will be required. The Proponent should continue to coordinate with Kevin McKenna in the Operations Permitting Group at (617) 305-5956 or Kevin.McKenna@mwra.com for assistance.

On behalf of the MWRA, thank you for the opportunity to provide comments on this Project. Please do not hesitate to contact Hillary Monahan of my staff at (857) 324-0554 or Hillary.Monahan@mwra.com with any questions or concerns.

Sincerely,



Colleen Rizzi, P.E.
Director
Environmental and Regulatory Affairs

cc: John Viola, MassDEP

M A D D P A

MARITIME ALLIANCE in DEFENSE of DESIGNATED PORT AREAS

BMS, 100 1ST AVE. Suite 102
Boston, MA 02129

October 17, 2024

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street
9th Floor
Boston, MA 02114

Attn: MEPA Office
Alex Strysky, EEA No. 16867

Re: Expanded Environmental Notification Form: Everett Docklands Innovation District and Trimount Energy Storage Facility

Dear Secretary Tepper:

I am writing to provide comment, on behalf of the Maritime Alliance in Defense of Designated Port Areas (MADDPA), on the above referenced project.

MADDPA is a new membership driven 501(c)(6) non-profit entity working to ensure the preservation, promotion and utilization of Designated Port Areas (DPAs) in Massachusetts. MADDPA's membership includes a number of maritime industry representatives.

Designated Port Areas are established within Massachusetts General Law Chapter 91 as part of the regulatory program to protect Commonwealth tidelands. These port areas are recognized for essential support to the maritime economy of the Commonwealth of Massachusetts. The designation and geographic delineation set forth by regulation provide protection to both current and future uses within our ports including but not limited to, providing deep water access for industrial marine business and preventing non-conforming uses from displacing the marine capacity of our ports.

Protecting the opportunity for future commercial maritime industries is of paramount importance, and these DPA's need to be preserved. MADDPA seeks to work in this effort as a

pro-active stakeholder. As part of its efforts, MADDPA is working to promote cohesive planning for and investment in DPAs and marine infrastructure.

MADDPA has reviewed the EENF for the above referenced project and the March 8, 2024 Chapter 91 Jurisdictional Determination by MassDEP. As described by MassDEP, the Battery Electric Storage System (BESS) project site described in Phase 1 consists of approximately +11.05-acres of previously developed land within a +15.76-acre parcel located entirely within the Mystic River Designated Port Area (DPA). Approximately 23,000 SF (0.53±) of the project site is located seaward of the historic high water mark (HHWM) as defined at 310 CB/IR 9.02 and is therefore located within filled tidelands, a geographic area subject to M.G.L. c. 91 pursuant to 310 CMR 9.04(2).

MassDEP's determination also noted that the soon to be decommissioned petroleum storage facilities on the project site historically have "supported the operation of the adjacent marine terminal for the transfer of materials between ship and shore and bulk storage of materials, which are water dependent industrial uses pursuant to 310 CMR 9.12(2)(b)1."

MassDEP has already made a determination that the BESS facility is consistent with 310 CMR 9.12(b)(2)9 and 10. While we are supportive of the Commonwealth's transition to clean energy, we are unsure whether this is a water-dependent use. It is not clear how important it is to locate the batteries and other energy-related uses as close to where the power comes ashore as possible. If this is important, it should be explained in the proposal.

MADDPA notes that no mitigation measures related to DPA activities are discussed in this EENF. MADDPA urges MassDEP to consider in its licensing process the temporary and permanent impacts of this use on the DPA, and to consider appropriate measures to ensure the ongoing viability of the DPA.

MADDPA appreciates the opportunity to comment. We would be happy to speak with you further if there are additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Blair", with a stylized flourish at the end.

Robert Blair
President, MADDPA



October 17, 2024

Massachusetts Environmental Policy Act (MEPA) Office
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge Street, Suite 900
Boston, MA 02114

Subject: EEA#16867 Everett Docklands Innovation District - Support for Phase 1
MEPA Waiver

Dear MEPA Office,

We write on behalf of the Mystic River Watershed Association (MyRWA), Everett Community Growers (ECG), and La Comunidad Inc, (LCI) to provide comment and strong support for a Phase 1 waiver as requested in the MEPA filing.
for EEA#16867 Everett Docklands Innovation District, filed by Everett Landco, LLC and Trimount ESS LLC (the "Proponents").

MyRWA's mission is to protect and restore the Mystic River and its tributaries. MyRWA centers environmental justice communities in our work and has advocated for, and taken action on, protecting the region's people and places from climate-intensified risks. Everett Community Growers, (ECG) works to build a more just and equitable environment through urban agriculture, youth development, policy advocacy and community engagement. ECG operates two community gardens and farms, allowing for equitable food access in Everett while conducting policy advocacy centered on racial, economic, and environmental justice. La Comunidad, Inc (LCI), is a non-profit organization funded to provide a better future to the Latino community in the city of Everett and surrounding areas, developing a combined strategy of community organizing, political incidence/advocacy, systemic change and efficient provision of quality services based on principles of social justice, community solidarity and self-management.

As a coalition, **we support and encourage resilient maritime industrial development in the Lower Mystic Designated Port Area which advances the region's transition to clean energy.** To this end, we would like to express our strong support for the Proponent's request for a Phase 1 Waiver. The effort to site a Battery Energy Storage System (BESS) as the first phase of development can stand out as a model for how we transition our economy and is ideally positioned at the



nexus of our current energy system and emerging offshore wind. Furthermore, the elevation of the parcels to 2070 flood levels ensures resilient development.

Furthermore, **we strongly encourage the Proponents to prioritize building trust and meaningful relationships with members of the Everett community.**

This is a historic moment that is poised to transform land that has hosted such harmful and pollutive industries over the past 75 years. The Proponent has an opportunity to develop a more active and expansive effort to welcome the community into providing feedback on the design of the project and the potential community benefits that will come out of the project. The Proponent deserves credit for their initial outreach and efforts to meet with community groups. We hope it is the beginning of a true partnership to incorporate resident concerns and ideas to create a better project.

In summary, the proposed project will be transformative for the Everett community and the region. We strongly support the Proponent's Phase 1 waiver as requested in the MEPA filing. As a coalition, we look forward to being engaged and have the opportunity to focus on future MEPA filings for the project. We look forward to seeing the progress continue and the significant benefits this project will bring to the community. Thank you for your attention to this matter.

Sincerely,

Patrick Herron
Executive Director
Mystic River Watershed Association

Nicole Fina
Civic Engagement and Advocacy Manager
Everett Community Growers

Antonio Amaya Iraheta
Executive Director
La Comunidad, Inc.

From: [Stephen Kaiser](#)
To: [Strysky, Alexander \(EEA\)](#)
Subject: COMMENT to MEPA on Everett Docklands Innovation District and Trimount Energy Storage Facility MEPA # 16867 Waiver and Mitigation
Date: Thursday, October 17, 2024 5:07:51 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To : MEPA Unit attn : Alex Strysky

This project is so huge at over 7 million square feet and so underserved by highways and transit that the first order of business is to produce an ITE vehicle trip generation from unadjusted 62,000 veh-trips to as close to zero as it can be shown possible. This means superb new transit access that does not now exist for this confined site restricted by Revere Beach Parkway, Broadway and limited MBTA bus service. The credibility of this entire project hangs on finding a transit plan that works. Otherwise the project will be consigned to a demonstrated traffic failure that should not even be contemplated by the developer and MEPA.

Press reports indicate that Everett planners recognize this challenge. MEPA should give the proponent a scope that includes a preliminary Impact Report due within a year of the granting of the waiver, with a traffic and transit impact study area of at least 15 miles from the center of the site. This report should include at least three transit scenarios that could conceivably provide service to the site, and if not successful, how much total development should be reduced on the site so that the transit system has the capacity to service the site properly.

Similarly a traffic impact report should complement the transit report covering a similar study area. To the extent that traffic mitigation has insufficient capacity to handle traffic generated by the total project, the report should estimate how much site development should be reduced from 7 msf to ensure that highway capacities are not exceeded by new development.

It may be that the background development from other developments in Everett will exceed capacities of existing road and transit capacities with and without mitigation. The initial report should consider this situation as well.

The work should use standard traffic analysis methods for estimating

future trip generation and capacity calculations, and absolutely must not utilize the CTPS computer simulation model, which allows for forecast trip demand volumes to exceed capacity. These models have been around for 60 years and fail to describe the realities of LOS F conditions for roads. Experience with this model for Harvard-Allston and Suffolk Downs development have been unproductive and useless.

Please note that a distant time in the past, Everett had rail rapid transit access to the periphery of the Exxon site, in the form of the stub extensions from the original Sullivan Square station, carhouse and maintenance yards in Everett, dating back to vintage 1900. Current headways on the Orange line are about 10 minutes. During World War II, Boston Elevated ran trains into Harvard Square every 90 seconds. I imagine that headways into Sullivan Square at that time were also close to 90 seconds. If we had enough trains, 90 second headways into Everett would increase Orange Line capacity by a factor of between 6 and 7. What would it take to bring some of that transit capacity to Everett ?

Stephen Henry Kaiser
Citizen Engineer and Historian

=====

City of Everett

Office of the Mayor



Carlo DeMaria, Jr.
MAYOR

Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617) 381-1150

October 18, 2024

Rebecca Tepper
Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Alex Strycky EEA NO: 16867
100 Cambridge Street
Boston, Massachusetts 02114

RE: Everett Docklands Innovation District and Trimount Energy Storage Facility

Dear Secretary Tepper,

Thank you for the opportunity to provide comments on the Environmental Notification Form (EENF) for the Everett Docklands Innovation District and Trimount Energy Storage Facility, submitted by Everett Landco, LLC.

As the Mayor of Everett that is the proposed host community for this project, I would like to underscore that Everett is at a pivotal moment in defining the future of our community. Everett is actively transitioning from its industrial past—a period marked by heavy pollution and health risks that have significantly affected our residents. Everett has been burdened historically with numerous industries, including a manufactured gas plant (MGP), oil refineries, coal and gas-fired power plants, and chemical manufacturing. These industries have since moved on, but their toxic legacies remain—leaving behind land that is often unusable and in desperate need of rehabilitation.

I take very seriously my obligation to protect the health and well-being of the residents of Everett, which is an Environmental Justice (EJ) community. Our city lies at the heart of a major transportation network, with four key routes into Boston passing through Everett. This positioning has contributed to persistent fine particulate matter pollution, which disproportionately affects our children, leading to elevated rates of asthma and other health

issues. These are burdens we should no longer be forced to bear for the benefit of the broader region.

I also must emphasize that this EENF filing is both complicated and highly detailed, and it includes a request for a Phase 1 waiver for the proposed Battery Energy Storage System (BESS). This complexity makes it extremely challenging for our EJ residents and advocacy groups to effectively review and respond within the given time frame. I strongly urge that the phased approach for MEPA submissions be separated, allowing for a more comprehensive analysis. With this in mind, I will address my comments in two parts.

Phase 1: Battery Energy Storage System (BESS)

To begin, I am not opposed to the idea of a BESS facility in general. It offers a cleaner solution for meeting peak power demands compared to alternatives like quick-start diesel plants. However, I am concerned about the proposed location in Everett. The proposed site, covering 21 acres, occupies valuable urban land that could be used for more urgent community needs. Given that other suitable locations exist within the ISO-NE grid, placing this facility here would severely limit future opportunities for land use in our city.

The Proponent claims that this is a "green energy" project. However, we strongly disagree. The facility will merely connect to the ISO-NE grid, not directly to renewable energy sources like offshore wind or solar farms. As demonstrated by the energy supply data shown below (from ISONE Net Energy and Peak Load by Source.xlsx File) this project will draw from a mix of sources, including natural gas, nuclear, and limited renewable energy—hardly the definition of "green."

2024 - Supply (GWh)	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SUM YTD
COAL	30	2	9	0	0	0	48	19	108
NATURAL GAS	4,977	3,781	4,450	3,477	3,941	5,268	6,916	6,361	39,172
HYDRO	907	756	966	979	839	548	699	687	6,381
NUCLEAR	2,192	2,335	2,496	2,417	2,462	2,408	2,477	2,440	19,227
OIL	53	1	0	1	1	32	46	22	156
LANDFILL GAS	39	36	39	31	37	33	34	33	283
METHANE	3	3	3	3	3	2	2	2	22
REFUSE	231	214	193	205	217	223	230	228	1,740
SOLAR	116	308	370	427	492	536	514	476	3,238
STEAM	0	0	0	0	0	0	0	0	0
WIND	329	358	412	359	186	245	168	165	2,221
WOOD	200	175	156	89	95	158	167	177	1,217
OTHER	13	25	31	34	39	44	44	42	272
PRD	1	0	0	0	1	2	2	1	7
Total Supply (GWh)	9,090	7,994	9,125	8,022	8,313	9,499	11,347	10,653	74,043

Moreover, under the current regulatory framework, I must voice my dissent to DEP's decision that this project meets the criteria for a water-dependent industrial use from a practical standpoint and therefore should not be permitted in a Designated Port Area (DPA).

Additionally, the request for a Phase 1 waiver is inappropriate and does not meet the requirements outlined in 301 CMR 11.00 MEPA regulations, specifically Section 11.11(4)(b). Infrastructure support for this phase is neither ample nor unconstrained. The necessary construction of a Gen-Tie conduit along Robin Street, an already congested public way, would exacerbate traffic issues and increase pollution. Further study is needed, and the waiver should be denied on these grounds.

Safety concerns also remain. The BESS site is near the LNG terminal and three high-pressure natural gas lines on Beacham Street. This proximity requires a thorough safety review, as well as an opportunity for the LNG operator to mitigate potential risks. Everett's Emergency Management team must also be fully equipped to handle potential emergencies, such as thermal runaway incidents, which require specialized fire department training and equipment. The city's ongoing Beacham Street improvement project to address corridor safety must also be carefully coordinated with this proposed project to avoid further strain on infrastructure.

Environmental and Community Considerations

The potential environmental impacts of this project go beyond air quality and traffic. The project site's legacy contaminants and how they will be managed is a critical issue. The Proponent must clarify how displaced soils from the site will be handled and whether this contamination will affect the Phase 2 land area. If so, this project cannot be considered independent of the larger development and must be fully addressed in the environmental review process.

Additionally, we must inquire whether the full extent of community outreach efforts disclosed the request for a Phase 1 waiver and the scope of the project as currently proposed. Transparency is essential, and it is unclear whether this waiver and its implications were adequately communicated to our Environmental Justice community.

The Proponent lists offshore wind and renewable energy as the primary purpose of this project, justifying its waivers. However, the nexus between the storage facility and a direct renewable energy source must be clearly disclosed. If the facility is storing energy generated from fossil fuels, it should be reviewed as a standard utility grid facility, not under the guise of renewable energy storage.

Furthermore, an alternatives analysis is essential to justify why this specific site within the larger project area was selected. The analysis should demonstrate why Everett, in particular, was chosen as the most appropriate location in the Commonwealth for storing renewable energy—especially given the lack of a direct connection to renewable energy sources. This analysis is critical to understanding the broader implications for our community.

Conclusion

The proposed Trimount Energy Facility BESS has been declared to be the largest project of this nature in the Commonwealth. As such, reviews should not be rushed through hastily and the Commonwealth owes due consideration to the concerns of our municipality.

In conclusion, Everett has long carried the burden of industrial pollution and environmental degradation, and it is time for a change. If we are to accommodate this project, it must go through a thorough and complete MEPA process to ensure that its impacts are appropriately mitigated and that our community's future is protected.

We look forward to working with Davis Companies on their Phase 2 Everett Docklands Site in the future.

Thank you for considering these comments. We urge a careful and deliberate review to ensure that the best interests of Everett and its residents are upheld.

Respectfully submitted,



Carlo DeMaria
Mayor
City of Everett



For a thriving New England

CLF Massachusetts 62 Summer Street
Boston, MA 02110
P: 617.350.0990
F: 617.350.4030
www.clf.org

October 18, 2024

Via electronic mail: alexander.strysky@mass.gov

Secretary Rebecca Tepper
c/o Alexander Strysky
MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Written Comments on Everett Docklands Innovation District and Trimount Energy Storage Facility EENF

Dear Secretary Tepper:

Conservation Law Foundation (“CLF”) appreciates the opportunity to comment on the Expanded Environmental Notification Form (“EENF”) for the Everett Docklands Innovation District Trimount Energy Storage Facility (“the Project”). CLF protects New England’s environment for the benefit of all people and uses the law, science, and the market to create solutions that preserve our natural resources, build healthy communities, and sustain a vibrant economy. CLF’s advocacy includes participation in proceedings that impact equitable access to and climate resilience of the Commonwealth’s tidelands.

Everett Landco, LLC, and Trimount ESS LLC, c/o Juniper Power LLC, (collectively, “the Proponents”) plan to redevelop the former brownfield site at 52 Beacham Street and 0 South Farm in the City of Everett to include both a mixed-use development and the Trimount Energy Storage Facility. The EENF primarily addresses the latter, referred to as “Phase I” of the plan. The mixed-use development (the “Master Plan”) will undergo the MEPA process separately. This comment letter will therefore focus on Phase I. As requested by the MEPA Office at the site visit and meeting on September 17, 2024, we also include a preliminary overview of our hopes for the Master Plan.

CLF approves of several aspects of the Project and the surrounding process thus far—in particular, we applaud the Proponents’ use of the designated port area (“DPA”) to promote the type of clean-energy-focused operation that showcases the value of the Commonwealth’s working ports, and we feel a MEPA waiver for that portion of the Project is appropriate. We also recognize the Proponents’ commitment to transparency and climate resilience at this site, some facets of their efforts toward public engagement and language accessibility, and their detailed discussion of environmental justice (“EJ”) data.

Conversely, we note certain areas that need attention, including the Project’s potential precedent for future Chapter 91 licensing, the thoroughness of public involvement in the Phase I process and beyond, and the impact of the Project on local EJ populations.

I. Chapter 91 and Designated Port Area

CLF applauds the Proponents’ decision to use this designated port area (“DPA”) for energy storage for offshore wind. The Commonwealth’s working ports are currently under enormous pressure from developers who wish to use these finite resources for general industrial, commercial, or residential uses. At the same time, DPAs offer a unique opportunity to help drive the Commonwealth’s energy transition, and they are irretrievable if converted to non-water-dependent industrial uses. We therefore support the proposed battery storage facility, which promises to add a key piece of infrastructure to the Commonwealth’s buildout of offshore wind and has the potential to be a model of a clean, modern, community-oriented working port.¹ We also feel that a MEPA waiver for Phase I is appropriate, given the time constraints the Proponents face with respect to the ISO queue and the fact that Phase I does not exceed the MEPA review thresholds at 301 CMR 11.03.

We also offer a word of caution to the Massachusetts Department of Environmental Protection (“DEP”) ahead of Chapter 91 licensing. In March, DEP decided that the proposed battery storage facility was appropriately termed a water-dependent industrial use and was thus permissible in a DPA. DEP’s decision stated that the storage facility met two separate regulatory criteria for water-dependent industrial use: that the storage facility would be “ancillary” to offshore renewable energy infrastructure facilities (310 C.M.R. 9.12(2)(b)(9)) and that the facility would be used to deliver electricity from an offshore facility located out of state (310 C.M.R. 9.12(2)(b)(10)). During Chapter 91 licensing, DEP should make every effort to cabin the precedent it is setting to 310 C.M.R. 9.12(2)(b)(10)—in other words, to allow the Project to proceed on the basis that it will deliver offshore wind electricity from out of state, not that it is an ancillary facility. Approaching the rationale for this license with caution will set the stage for infrastructure that drives the clean energy transition without exposing environmentally burdened communities to projects that lack the appropriate nexus to offshore wind production.

II. Public Engagement

The EENF includes a detailed summary of the methods and targets of the Proponents’ public outreach leading up to this filing. CLF appreciates several aspects of the public outreach thus far, including the variety of media and languages made available to the public and the array of organizations the Proponents attempted to engage. We also appreciate the Proponents’ decision to extend the deadline for EENF comments in response

¹ Our support for the battery storage facility should not be construed as an opinion on the Proponents’ mitigation plan for the site, which CLF will review to ensure full protection to the community.

to multiple stakeholder requests. That said, discussions we have had with community groups and other environmental advocates suggest that the Proponents should pay close attention to their engagement efforts moving forward to ensure that its outreach not only extends to an appropriate array of organizations, but also that it forms deep enough relationships with those organizations. For example, while the Proponents have indeed reached out to community groups for discussion, some groups have felt siloed from larger stakeholder discussions and noted that the Proponents requested letters of approval without giving them sufficient time to process the Project’s implications and express any resulting concerns.

CLF encourages the Proponents to maintain the positive aspects of its public outreach campaign while remembering that engagement is an art and not a science. The Proponents’ public outreach and engagement appears well-organized and systematic—while those are necessary features of strong engagement, they are not sufficient. Public engagement is relational, and it takes time, persistence, and patience to ensure that stakeholders feel that they have been heard and that their concerns have been addressed.

III. Environmental Justice

Massachusetts policy and the Project’s location make environmental justice a key factor in evaluating this proposal. An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy and the Executive Office of Environmental Affairs’ (“EEA”) Environmental Justice Policy of June 2021 recognize that EJ populations must be centered in processes involving “environmental, energy, and climate change decision-making.”² Within one mile of the Project Site, there are 55 EJ Populations, and within five miles there are 598. Everett and its surrounding areas are also overburdened with energy infrastructure, and these communities experience higher rates of negative health impacts, largely due to traffic and toxic chemical waste.³ According to data from the EJ Screen, this corresponds with high rates of asthma, heart disease, and cancer among adults aged 18 and older within a one-mile radius of the site. EJ communities within a five-mile radius of the site experience these burdens in even greater numbers.

We appreciate the Proponents’ attention to data regarding local EJ populations. We also appreciate that Phase I of the Project involves only marginal environmental impacts to air quality, water quality, and traffic. Nonetheless, given the high burden Everett has historically held with respect to energy infrastructure, we raise several concerns that we encourage the Proponents to address.

² Executive Office of Energy and Environmental Affairs, Environmental Justice Policy (June 2021), <https://www.mass.gov/doc/environmental-justice-policy6242021-update/download>.

³ EENF section 4.3.

A. Nuisance and Urban Heat Islands

The Proponents must ensure they adequately consider the long-term impacts of the Trimount Energy Storage Facility on the surrounding neighborhood. For example, the EENF does not consider noise pollution from the facility beyond the construction phase, nor does it consider a potential heat island effect from the increased asphalt, concrete, and metal brought associated with the site. Omitting these considerations from the EENF means that the Proponents also do not discuss mitigation to counteract these risks. With respect to heat islands, the Proponents must analyze this potential impact and design mitigation measures such as plant cover, shade structures, and pavement painting⁴ to reduce the amount of heat trapped on the site's surface. To reduce nuisance to the neighborhood, the Proponents must also study the expected noise generation of the storage facility and plan to contain it within the site boundaries. Vegetative walls, sound mufflers, and silencing technology will play a critical role in this.

B. Cumulative Impacts Assessment

The Proponents and the community would benefit from a cumulative impacts assessment to examine the historical burdens of pollution and other impacts borne by this neighborhood. A cumulative impacts assessment builds a scientific foundation that thoroughly assesses the future impact of an action in the context of existing and future conditions. In her recent budget filing, Governor Healey wrote that cumulative impacts assessments shall identify environmental and public health impacts from a proposed project “that would likely result in a disproportionate adverse effect” and “that would increase or reduce the effects of climate change” to an already overburdened geographic area.⁵ Cumulative impacts assessments shall also identify “proposed potential remedial actions to address any disproportionate adverse impacts to the environment, public health and climate resilience of such geographical area that may be attributed to the proposed project.”⁶

As the language from the Healey administration's supplemental budget demonstrates, cumulative impacts assessments allow developers to highlight the remediation efforts and positive effects that their projects can have in a context that also critically assesses a project's impact on the host community's well-being. This can improve public relations and give community members a better idea of what a project will mean for them. The Proponents, therefore, should conduct a cumulative impacts assessment on

⁴ See e.g., Fight The Heat With Asphalt Paint, LAIST, <https://laist.com/podcasts/how-to-la/fight-the-heat-with-asphalt-paint>.

⁵ Maura Healey, *An Act Making Appropriations for Fiscal Year 2024 (FY24) to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects*, sec. 34.

⁶ Id.



Phase I of the Project as part of their public engagement process, even if not required by law in this case.

IV. Master Plan

As we mention above, this filing provides relatively little information about the mixed-use component of the Project that will follow Phase I. Future public engagement and MEPA filings will therefore be vital for stakeholders, CLF included, to form fully informed input regarding the Proponents' Master Plan. At this stage, we can offer only general and preliminary thoughts.

- **Green space:** At the site visit meeting, the Proponents said they plan to dedicate a minimum of 15 percent of the Master Plan site to green space. We encourage the Proponents to expand this as much as possible. The Proponents should also consider the attractiveness and accessibility of any green space for the host community. Reducing vehicular traffic, including ample crosswalks and wide sidewalks, and improving connection to the site with surrounding neighborhoods and transit systems will improve pedestrian access and draw more foot traffic. Green space amenities should be open to pedestrians, not enclosed by fences or surrounded by buildings in a courtyard style. A transit study and a public benefits analysis should be conducted as part of the Master Plan EIR. These will help maximize the quality and accessibility of green space in the Master Plan.
- **Affordable housing:** The Proponents should make every effort to provide affordable housing in the residential Master Plan component, and at a rate that reflects the income of nearby residents. The Proponents should also consider the feasibility of a community land trust to empower residents.
- **Flood resilience:** As part of the Massachusetts Contingency Plan to remediate the Project Site, the Proponents have stated they will treat contaminated soil in place through fixation and place additional fill soil (up to 500,000 cubic yards) where required to protect treated soil from future flooding and erosion. An additional 200,000 cubic yards of "clean cover" will be placed on top of the fill soil to help prevent future human exposures to contaminants and elevate the site to a minimum of 10.5 feet NAVD88. While the approximately 700,000 cubic yards of fill is part of the remediation process separate from this EENF, it would also serve as a site resiliency measure for the Master Plan program, which would normally be subject to MEPA review. A flood modeling study should be conducted as part of the Master Plan EIR to demonstrate the impacts of the total proposed fill on adjacent/nearby parcels.



We look forward to filings that provide additional information that will allow us to comment in greater detail.

V. Conclusion

This Project presents an opportunity for a clean and modern working port facility and a mix of uses that enriches the surrounding community. We strongly urge the Proponents to continue to strengthen their public engagement and EJ efforts and to bear community and resilience needs in mind as they proceed beyond Phase I. We look forward to remaining closely engaged with the Project as it moves forward.

Sincerely,

A handwritten signature in brown ink that reads "Margaret L. Sullivan". The signature is written in a cursive style and is highlighted with a light yellow background.

Margaret L. Sullivan
Senior Attorney
Conservation Law Foundation

A handwritten signature in black ink that reads "Breanne Frank". The signature is written in a cursive style.

Breanne Frank
Associate Attorney
Conservation Law Foundation

cc: Daniel Padien (daniel.padien@mass.gov)



MEMORANDUM

TO: Rebecca L. Tepper, Secretary, EEA
ATTN: Alex Strycky, MEPA Office
FROM: Alison Brizius, Director, CZM
DATE: October 18, 2024
RE: EEA# 16867 – Everett Docklands

The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Expanded Environmental Notification Form (EENF), noticed in the *Environmental Monitor* dated August 23, 2024, as well as supplemental information provided on October 2, 2024 and October 15, 2024, and offers the following comments.

Project Description

As described in the EENF, the Everett Docklands Innovation District comprises the Master Plan Project and consists of a mixed-use development including approximately 7.2 million square feet (sf) of industrial, high-tech manufacturing, lab/office, retail, maker, and residential space. It also includes the Trimount Energy Storage Facility, which is proposed to provide up to 700 MW of energy storage capacity. The proposed redevelopment will be constructed in two phases, with the Trimount Energy Storage Facility being constructed first (the “Phase 1 project”), followed by the remainder of the Master Plan Project. The proposed Master Plan project site is located on approximately 86 acres comprising the former Exxon Mobile Terminal property in the City of Everett.

The proposed Phase 1 project includes a battery energy storage system (BESS). The Phase 1 project site consists of approximately 20.7 acres of land on two parcels at 52 Beacham Street (Parcel C, 9.6 acres) and 0 South Farm (Parcel A, 11.1 acres). These parcels are separated by Beacham Street, which also serves as the northern boundary of the Mystic River Designated Port Area (DPA). The Phase 1 project proposal includes a BESS, two on-site open-air substations, two small buildings for personnel and equipment storage totaling 5,800 sf, and a generation interconnect line that is proposed to link the facility to the Eversource Substation 250 (adjacent to the former Mystic Generating Station) via a new underground conduit to be located within the existing public rights-of-way of Beacham, Robin, Dexter, and Alford streets.

The proposed Master Plan project includes approximately 400,000 sf of industrial space, 400,000 sf of high-tech manufacturing space, 3,300,000 sf of lab/office space, 240,000 sf of retail space, 36,000 sf of maker space, and 2,815,000 sf of residential space (approximately 3,200 residential units) with ancillary roadways, parking, and open space.

Project Comments

Coastal Resilience

As part of the remediation for the site, the proposal includes filling up to elevation 10 NAVD 88, which is the 1% chance flood elevation on the Preliminary Flood Insurance Rate Maps for the site that are expected to become final in early 2025. As part of the Master Plan, the project is proposing to add fill to the site to raise it above the 2070 1% chance flood elevation. For Phase 2, in order to assess the potential impacts of the proposed fill and project components on surrounding buildings



and infrastructure, an analysis should be conducted to assess potential changes and impacts to the floodplain. The analysis should assess potential changes to flood extent, depth, and velocities for future sea level rise and increased precipitation using the Massachusetts Coast Flood Risk Model or best available information regarding the projected extent of the floodplain for the life of the proposed development. This analysis should be used to inform the project design and to ensure that potential impacts on the project site and to neighboring properties (e.g., redirection of flood waters, channelization of flow, increased flood velocities, etc.) are avoided. Alternatives to the building layouts and designs, fill and amenities should be considered if necessary to avoid these impacts. In addition to this analysis, the Draft Environmental Impact Report (DEIR) should include a description of the proposed fill and grading on the site, including the volume of fill proposed to be used, with grade and fill plans including representative cross-sections through the site. Representative cross-sections of the proposed buildings relative to existing and proposed ground elevations and projected future flood elevations should be included in the DEIR.

Designated Port Area

The proponent should continue to coordinate with DEP Waterways on the project and the proposed project elements.

Federal Consistency Review

The proposed project may be subject to CZM federal consistency review and, if so, must be found to be consistent with CZM's enforceable program policies. For further information on this process, please contact Sean Duffey, Project Review Coordinator, at sean.duffey@mass.gov or visit the CZM website at <https://www.mass.gov/federal-consistency-review-program>.

AB/rh/jy

Cc: Nadia Madden, DCR
Katie Paight, DCR
Susan You, MassDEP
Jill Provencal, MassDEP



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 150 Presidential Way Woburn, MA 01801 • 978-694-3200

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

October 18, 2024

Rebecca L. Tepper, Secretary
Executive Office of
Energy & Environmental Affairs
100 Cambridge Street
Boston MA, 02114

RE: Everett
Everett Docklands Innovation District and
Trimount Energy Storage Facility
EEA # 16867

Attn: MEPA Unit

Dear Secretary Tepper:

The Massachusetts Department of Environmental Protection Northeast Regional Office (MassDEP-NERO) has reviewed the Expanded Environmental Notification Form (EENF) for the proposed Everett Docklands Innovation District and Trimount Energy Storage Facility in Everett. MassDEP provides the following comments.

Contaminated Soil and Groundwater

The project proponent is advised that excavating, removing, and/or disposing of contaminated soil, pumping of contaminated groundwater, or working in contaminated media must be done under the provisions of MGL c.21E (and, potentially, c.21C) and all other applicable federal, state, and local laws, regulations, and bylaws. If permits and approvals under these provisions are not obtained beforehand, considerable delays in the project can occur. The project proponent cannot manage contaminated media without prior submittal of appropriate plans to MassDEP, which describe the proposed contaminated soil and groundwater handling and disposal approach, and health and safety precautions. If contamination at the site is known or suspected, the appropriate tests should be conducted well in advance of the start of construction and professional environmental consulting services should be readily available to provide technical guidance to facilitate any necessary permits. If dewatering activities are to occur at a site with contaminated groundwater, or in proximity to contaminated groundwater where dewatering can draw in the contamination, a plan must be in place to properly manage the groundwater and ensure site conditions are not exacerbated by these

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activities. A Licensed Site Professional (LSP) must be employed or engaged to manage, supervise, or actually perform the necessary response actions at the site.

Air Monitoring

Dust and/or vapor monitoring and controls are often necessary for large-scale projects in contaminated areas. The need to conduct real-time air monitoring for contaminated dust and to implement dust suppression must be determined prior to excavation of contaminated soils, especially those contaminated with compounds such as metals and PCBs. An evaluation of contaminant concentrations in soil should be completed to determine the concentration of contaminated dust that could pose a risk to health of on-site workers and nearby human receptors. If this dust concentration, or action level, is reached during excavation, dust suppression should be implemented as needed, or earthwork should be halted.

Ambient air monitoring at the site perimeter and near areas of excavation and management of soils contaminated with volatile organic compounds such as trichloroethylene (TCE), should be implemented using field instrumentation capable of detecting low concentrations of TCE (ex: 1 ppbV TCE). A detailed air monitoring program should be developed prior to excavation activities to include monitoring frequency, action levels, sampling the indoor air of nearby structures, as needed, and mitigation measures.

Capping of Contaminated Soil

If capping of contaminated soil is needed to achieve a level of No Significant Risk, MassDEP recommends the following capping design criteria for those soils categorized as S-1 pursuant to 310 CMR 40.0933. In unpaved areas, a minimum of three feet of clean soil should be placed over the contaminated soil. This protective layer of clean soil should be separated from the underlying contaminated soil by a geotextile or combination of materials, which will provide both a brightly colored visual marker and a permeable fabric to separate the clean soil from the contaminated soil. In paved areas, a minimum one-foot cap consisting of clean soil, road base, and the final pavement layer should be placed over the contaminated soil. Similar to unpaved areas, the contaminated soil should be separated from the clean soil or road base using a visual marker and geotextile. In such cases, an Activity and Use Limitation (AUL), prepared in accordance with 310 CMR 40.1012, would be necessary to identify the maintenance requirements of the cap.

Potential Indoor Air Impacts

Parties constructing and/or renovating buildings in contaminated areas should consider whether chemical or petroleum vapors in subsurface soils and/or groundwater could impact the indoor air quality of the buildings. All relevant site data, such as contaminant concentrations in soil and groundwater, depth to groundwater, and soil gas concentrations, should be evaluated to determine the potential for indoor air impacts to existing or proposed building structures. Particular attention should be paid to the vapor intrusion pathway for sites with elevated levels of chlorinated volatile organic compounds such as tetrachloroethylene (PCE) and trichloroethylene (TCE). MassDEP has additional information about the vapor intrusion pathway on its website at <https://www.mass.gov/lists/policies->

New Structures and Utilities

Construction activities conducted at a disposal site shall not prevent or impede the implementation of likely assessment or remedial response actions at the site. Construction of structures at a contaminated site may be conducted as a Release Abatement Measure if assessment and remedial activities prescribed at 310 CMR 40.0442(3) are completed within and adjacent to the footprint of the proposed structure prior to or concurrent with the construction activities. Excavation of contaminated soils to construct clean utility corridors should be conducted for all new utility installations.

Activity and Use Limitations

An Activity and Use Limitation (AUL) is a legal document that is recorded or registered at the appropriate Registry of Deeds and identifies site conditions that are the basis for maintaining a condition of No Significant Risk at a property where contamination remains after a cleanup. The AUL identifies permitted and allowable site uses and activities that may occur at a property while maintaining No Significant Risk. The AUL also identifies restricted uses and activities, which could result in the exposure of people at or near the disposal site to remaining contamination if such activities were to occur. The project proponent is advised that in cases where proposed activities would not be consistent with a level of No Significant Risk and/or an existing AUL, additional cleanup and the amendment or termination of the initial AUL and implementation of a revised AUL would be necessary before the proposed activities could occur.

Site-Specific Comments

- A. A perimeter dust action level of 150 micrograms/cubic meter ($\mu\text{g}/\text{m}^3$) above background over 15 minutes is proposed at the site based on calculations performed by Haley & Aldrich, Inc. Historical soil characterization within the project area has identified lead concentrations in soil that exceed the respective Massachusetts Contingency Plan (MCP) Method 3 Ceiling Limit (M3CL) in some areas of the site. The project proponent should confirm that the 150 $\mu\text{g}/\text{m}^3$ action level is adequately protective of human health to nearby receptors if/when soil management is needed in these areas of the project footprint.
- B. Response actions proposed in the June 2024 Phase IV Remedy Implementation Plan (RIP) submitted to MassDEP for the site with Release Tracking Number (RTN) 3-0000310 and the Expanded Environmental Notification Form (EENF) include in-situ fixation (ISF) for areas of non-stable light nonaqueous phase liquid (LNAPL) and soils exhibiting lead and petroleum hydrocarbon concentrations exceeding MCP M3CLs. The ISF treatment proposes a Remedial Additive application consisting of a 3% Portland Cement and 4% slag mixture. The application of Remedial Additives should not: erode or otherwise impair the function of surficial and subsurface soils; infiltrate underground utilities, building interiors or subsurface structures; result in groundwater mounding within two feet of the ground surface; result in

flooding/breakout to the ground surface; or exacerbate site conditions. The person(s) responsible for the application of Remedial Additives must also collect and analyze soil samples prior to each application of remedial additives within the proposed treatment area. If ISF is to extend into or near the groundwater table, the person(s) responsible for the application of Remedial Additives must monitor the groundwater hydraulically upgradient, downgradient, and within the treatment area at regular intervals not to exceed three months in order to monitor oil and hazardous material (OHM) and/or potential additive byproduct migration.

- C. Although not articulated in the EENF, the June 2024 Phase IV RIP proposes ISF in the top two feet of the man-made holding pond, located in the southeastern region of the North Tank Farm. The April 2024 Modified Phase III Remedial Action Plan estimates approximately two feet of sludge is present at the bottom of the man-made holding pond. Additional investigations may be necessary to confirm sludge impacts are confined to the top two feet of the holding pond.
- D. Placement of “Material Required for Resilient Elevation” (MRRE) to achieve a minimum surface elevation of 10.5 feet, North American Vertical Datum of 1988 (NAVD88), is proposed to combat potential sea level rise as a result of climate change. The current proposal is limited to the import of uncoated asphalt, brick and concrete (ABC), and soils with concentrations of oil and/or hazardous materials that are less than MCP RCS-1 Reportable Concentrations (residential soil standard). The anticipated volume of material to be imported is approximately 700,000 cubic yards (yd³). This proposal is under review and requires written approval by MassDEP. MassDEP and the Project Proponent are currently negotiating the terms of an Administrative Consent Order which will establish conditions of approval, acceptance criteria, and sampling, monitoring, and operational requirements for the import and on-site management of the MRRE.
- E. The EENF includes an overview of community engagement and enhanced public outreach efforts undertaken to date related to the Master Plan Project, the Phase I Project and the “Pre-Development Remediation” and describes proposed measures to ensure enhanced public involvement (Chapter 4—Environmental Justice and Public Health and Chapter 10—Pre-Development Remediation). MassDEP’s recommends and expects that the proponent will provide robust outreach and enhanced public involvement for all phases of the project as it continues to advance.

Wetlands

The Everett Docklands Innovation District entails construction of a mixed-use development, industrial, manufacturing, retail and residential referred to as the “Master Plan Project” or Phase II. Phase I of the project entails the construction of the Trimount Energy Storage Facility. The existing site is the former Exxon Mobil Terminal Facility. The project site is currently regulated under the Massachusetts Contingency Plan (MCP). The project proponent has stated that remediation for the site consists of placing fill up to elevation 10 NAVD 88 based on the elevation shown on the Preliminary Flood Insurance Rate Maps that are expected to become final in early 2025. Although filling will occur within Land Subject to Coastal Storm Flowage,

the ENF states that this work will not impact environmentally sensitive areas. This work has received an Order of Conditions from the Everett Conservation Commission (DEP File No. 022-0137) on May 16, 2024. The work proposed under the Master Plan also includes adding fill to the site to raise it above the 2070 1% chance flood elevation. MassDEP recommends that the Proponent assess the potential impacts (redirection of flood waters, channelization of flow, increased flood velocities) of the proposed fill on surrounding buildings, neighborhoods, infrastructure, and public transportation facilities to address any potential changes and impacts to the floodplain.

The MassDEP appreciates the opportunity to comment on this proposed project. Please contact Eric.Worrall@mass.gov for further information on these issues. If you have any general questions regarding these comments, please contact me at John.D.Viola@mass.gov or at (857) 276-3161.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

John D. Viola
Deputy Regional Director

cc: Brona Simon, Massachusetts Historical Commission,
Eric Worrall, Joanne Fagan, Jill Provencal, MassDEP-NERO



THE COMMONWEALTH OF MASSACHUSETTS
WATER RESOURCES COMMISSION
100 CAMBRIDGE STREET, BOSTON MA 02114

October 18, 2024

Secretary Rebecca L. Tepper
Executive Office of Energy and Environmental Affairs
Attn: Alexander Stryzky, MEPA Office
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Re: MEPA File No. 16867 - Everett

Dear Secretary Tepper:

The Water Resources Commission (WRC) staff has reviewed the Expanded Environmental Notification Form (EENF) for Everett Docklands Innovation District and Trimount Energy Storage Facility Project in the City of Everett.

As proposed, the Project involves activities within a 100-year floodplain as delineated on the current effective Flood Insurance Rate Map (FIRM) for Middlesex County dated June 4, 2010. In its role as the state coordinating agency for the National Flood Insurance Program (NFIP), I submit the following comments on behalf of the WRC.

WRC's Flood Hazard Management Program (FHMP), under agreement with the Federal Emergency Management Agency (FEMA), is the state coordinating agency for the NFIP. As such, the FHMP provides technical assistance to communities that participate in the NFIP related directly to the program and also related to floodplain management in general. Communities that participate in the NFIP are required by FEMA, as a condition of their participation, to regulate development within the 100-year floodplain in a manner that meets or exceeds the minimum standards established by FEMA, located at 44 CFR 60.3. Participating communities such as the City of Everett are required to adopt the NFIP requirements through locally enforceable measures. In Massachusetts, many of the requirements contained in 44 CFR 60.3 are enforced through existing state regulations such as the State Building Code (780 CMR) and Wetlands Protection Act regulations (310 CMR 10.00). Communities typically adopt the remainder of the requirements as part of a zoning ordinance or other locally enforceable measure. The City of Everett has a Zoning Ordinance which has been accepted by FEMA as meeting their requirements under the NFIP.

In our role as NFIP coordinator, the FHMP offers comments on the proposed Project's relationship to many of the above regulations and requirements. The FHMP does not administer any of these requirements and therefore does not provide official determinations as to compliance with them; rather, our comments are provided as an overview of the requirements and the documentation that the FHMP believes may be necessary to demonstrate compliance with these requirements.

The Project includes redevelopment of an approximately 86-acre former Brownfield site, referred to as the "Master Plan Project". The Master Plan Project consists of a mixed-use development including industrial,

high-tech manufacturing, lab/office, retail, makers, and residential space, as well as the Trimount Energy Storage Facility. This proposed redevelopment will be constructed in two phases, with the Phase 1 Project including the development of the Trimount Energy Storage Facility and Phase 2 being the remainder of the Master Plan Project. The Proponent has indicated that Phase 2 will be submitted to MEPA for review at a later date as an Environmental Impact Report.

Based on information submitted with the EENF, the project site is not within the 100-year floodplain currently. As noted in the EENF, FEMA released preliminary FIRMs on August 13, 2021, which includes the project area. The preliminary FIRMs delineate the project area being in a Zone AE with a base flood elevation of 10 feet above North American Vertical Datum (NAVD 88). It is expected that the preliminary FIRMs will become effective in the near future. We recommend that the Proponent review these FIRMs and consider the potential impact of the site's flood vulnerabilities on this project.

For any development located in the 100-year floodplain, compliance with the requirements of several federal, state and local measures related to floodplain development are required. For structures built in the 100-year floodplain as delineated on FEMA's FIRMs, they must meet the requirements located in the Massachusetts State Building Code, 10th Edition, which includes Flood Resistant Construction standards in Section 1612, Flood Loads, and ASCE 24-14, Flood Resistant Design and Construction. Please note that Chapter 2, Definitions, defines Flood Hazard Area as the greater of either 1) the 1% or greater chance of flooding in any year as defined on a community's current effective FIRM, or 2) if a community has received preliminary FIRM and Flood Insurance Study (FIS) from FEMA, and has been issued a Letter of Final Determination (LFD) from FEMA, the area designated as a flood hazard area on the community's preliminary FIRM and FIS as of the date of the LFD. As detailed in the EENF document, Phase 1 consists of a battery energy storage system, two on-site open-air substations, two small buildings for personnel and equipment, and a generation interconnect line. Though the above referenced requirements are not applicable until FEMA issues an LFD for the preliminary FIRMs, we strongly recommend these structures be designed and constructed to Building Code Standards for Zone AE, or meet the requirements in FEMA Technical Bulletin 10, Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding. Please note that the Massachusetts State Building Code 10th Edition became effective on October 11, 2024, with a concurrency period with the 9th Edition until January 1, 2025.

During the remote site visit, the Proponent indicated that fill is being placed on the project site as part of pre-development remediation efforts which will raise the existing grade of the project site. When the new FIRMs become effective, it is highly recommended that this data be submitted to FEMA through a LOMR application, so to be reflected in the effective FIRM. LOMR applications can be submitted to FEMA through the MT-2 application process.

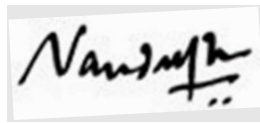
When Phase 2 is submitted, further details on the site grades, expected uses and locations of future structures relative to the FEMA-designated floodplain would be useful for the FHMP to provide further review. In particular, details on lowest floor and utility elevations for structures with basements or parking below grade and/or details on floodproofing would be useful for providing guidance on meeting NFIP and state building code requirements for structures in the floodplain.

Additionally, projects within the 100-year floodplain involving any federal action (e.g., permit, funding) must also comply with federal Executive Order 11988, Floodplain Management, as amended by Executive Orders 13690 and 14030. Executive Order 11988 requires an eight-step decision-making process which includes analysis of alternatives, avoiding impacts when possible, and minimizing impacts when avoidance is not possible. Because this project requires a permit from the Environmental Protection Agency (EPA), compliance with the eight-step decision-making process is necessary. Compliance with

these orders will also require meeting the Federal Flood Risk Management Standard (FFRMS) which can involve design and construction to a higher standard, to be determined by the applicable federal agency.

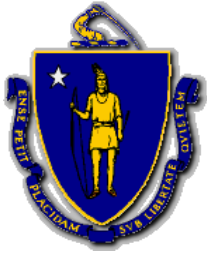
The proponent should be aware that climate change can bring further impacts to the proposed development. Changes to the state's precipitation regime are ongoing with further predicted changes to the amount and timing of rainfall. This may increase the potential for flooding to properties located in the 100-year floodplain. In addition, there are predicted increases in sea level and coastal storm intensities. This could compound the potential for flooding to properties impacted by riverine and coastal flooding.

Thank you for the opportunity to comment on the EENF. If you have any questions regarding these comments, or to request additional information or coordination with the FHMP, please contact Katie Paight at katie.o.paight@mass.gov or 857-283-0583 and Nadia Madden at nadia.madden@mass.gov or 857-287-1603.

A handwritten signature in black ink, appearing to read "Nandana Rao", is enclosed in a thin black rectangular border. The signature is written in a cursive style with a double underline at the end.

Vandana Rao, PhD
Executive Director, MA Water Resources Commission

cc: Katie Paight, Department of Conservation and Recreation
Nadia Madden, Department of Conservation and Recreation
Eric Carlson, Department of Conservation and Recreation
Joy Dupereault, Department of Conservation and Recreation
David Palumbo, Building Commissioner, City of Everett
Tom Philbin, Environmental Planner & Sustainability Coordinator, City of Everett
Matthew Lattanzi, Director Planning and Development, City of Everett



COMMONWEALTH OF MASSACHUSETTS
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Maura Healey
Governor

Rebecca Tepper
Secretary

Kim Driscoll
Lt. Governor

Elizabeth Mahony
Commissioner

25 October 2024

Rebecca Tepper, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street
Boston, Massachusetts 02114
Attn: MEPA Unit

RE: Everett Docklands, 52 Beacham St, Everett, MA, EENF/EIR #16867

cc: Jo Ann Bodemer, Director of Energy Efficiency, Department of Energy Resources
Elizabeth Mahony, Commissioner, Department of Energy Resources

Dear Secretary Tepper:

We've reviewed the Expanded Environmental Notification Form (EENF) for the proposed project. Phase 1 includes the following:

- Two small office buildings (5,000 sf, total)
- 800 sf of storage space.

The Phase 2/Master Plan will include:

- Residential: 2,815,000 sf (3,200 units)
- Retail: 240,000 sf
- Maker Space: 36,000 sf
- Lab/office: 3,300,000 sf
- High-Tech Manufacturing: 400,000 sf
- Industrial: 400,000 sf

Executive Summary

The project is committing to efficiency measures and electrification for Phase 1 which will achieve a high level of emissions mitigation. Commitments include efficient electrification of space and water heating and no use of fossil fuels (gas, propane, or oil).

The submission did not include emissions strategies for Phase 2. Recommended strategies are included herein.

Key Emissions Reduction Commitments - Phase 1:

The following are key emissions reduction commitments for Phase 1:

- Electric air source heat pumps to supply 100% of the buildings' space heating
- Electric air source heat pumps for 100% of the service water heating
- Lower air infiltration standard under Section C406 of the Massachusetts stretch code; and
- 25% of parking spaces with installed, Level 2 electric vehicle charging.

If the Phase 1 buildings continue to commit to the above strategies, no further evaluations would be required and the DOER emissions review process for Phase 1 would be complete.

Recommended Strategies - Phase 2:

The following are recommended emissions reduction strategies for Phase 2:

Multifamily Residential

- Passive House
- Air source heat pump space heating
- Air source heat pump service water heating
- Electric cooking and drying
- No gas

Commercial spaces (normally ventilated)

- Prescriptive stretch code with Option 8 C406 measure (reduced air infiltration)
- Air source heat pump space heating
- Air source heat pump service water heating
- Electric cooking and drying
- No gas

Laboratory and other high ventilation spaces:

- Follow the all-electric OR mixed-fuel mandates of the Specialized Code

- Note: use of fossil fuels under the mixed-fuel pathway will disqualify the project from MassSave incentives
- Air source heat pumps sized to at least 25% of the peak space heating load
 - Target less than 10 kBtu/sf-yr of non-heat pump usage
 - Or, preserve MassSave incentive by sizing heat pumps to full load, and eliminate fossil fuel use.
- Prescriptive stretch code with Option 8 C406 measure (reduced air infiltration)
- Maximum 50% glazed wall systems.
- Air source heat pump for service water heating (OR solar thermal plus electric resistance)

Warehouse (if any)

- Follow the all-electric OR mixed-fuel mandates of the Specialized Code
 - Note: use of fossil fuels under the mixed-fuel pathway will disqualify the project from MassSave incentives
- Air source heat pumps sized to at least 25% of the peak space heating load
 - Target less than 10 kBtu/sf-yr of non-heat pump usage
 - Or, preserve MassSave incentive by sizing heat pumps to full load, and eliminate fossil fuel use.
- Air source heat pump for service water heating (OR solar thermal plus electric resistance)
- R-40 roof

If these recommendations are committed to, the DOER will require no further evaluations, and our review will be complete.

Recommended Strategies - Details

In addition to delivering very low emissions buildings, the above strategies improve life cycle cost, resilience, and enable “grid-friendly” electrification. “Grid-friendly” means that there will be little to no need for electric grid upgrades due to electrification of space heating, because the heating loads will be so small.

The development plan should also embrace a strategy of no further expansion of fossil fuel and should avoid gas use for all buildings. Fossil fuel use (gas, propane, and oil) for space and water heating is no longer state of practice for new construction and retrofits in Massachusetts and should be avoided for this project. Utilization of fossil fuels will also disqualify the project from valuable MassSave incentives.

Everett utilizes the Stretch Code which mandates the “four pillars” which deliver superior thermal performance. (The four pillars, required by both Stretch and Specialized codes, are: low air infiltration, thermal bridge mitigation, high level of ventilation energy recovery, and quality envelope.)

Everett Docklands, EEA No. 16867
Everett, Massachusetts

Because the Stretch Code, which is mandatory, already requires a high level of thermal performance with the “four pillars”, there is a good foundation set for relatively easy adoption of Passive House for the multifamily portion of the project. Passivehouse multifamily qualify for \$3,000 per unit from MassSave.

Efficient electrification with air source heat pumps remains optional under the Stretch. However, because heating demand is so small due to the four pillars, swapping from gas space heating to electric heat pump space heating is readily achieved.

It’s also important to note that buildings built to thermal code standards have a very high level of resiliency. In the case of total power outage and space heating (or space cooling) loss, buildings built to Massachusetts Stretch Code will remain at safe, comfortable temperatures for long periods of time. There is no need for fossil fuel “backup” systems and designers can confidently efficiently electrify space heating and eliminate all fossil fuel infrastructure.

Sincerely,
Massachusetts Department of Energy Resources



Becca Edson
Decarbonization Architect



Paul F. Ormond, P.E.
Energy Efficiency Engineer