

November 27, 2001

Mr. Robert Durand, Secretary
Executive Office of Environmental Affairs
251 Causeway St., Suite 900
Boston, MA 02114

Attn: Jay Wickersham and William Gage, MEPA Unit

**Re: Proposed Scope, 2000 L.G. Hanscom Field ESPR
EOEA Number 5484/8696**

Dear Secretary Durand, Mr. Wickersham and Mr. Gage:

We are writing to supplement our previous written comments and our statements at the November 15th scoping session. We wish to make three points. First, MEPA should assert its authority to specify in the scope what noise metrics Massport must use in the ESPR. Second, the ESPR should report the area experiencing 30 minutes per day of noise exposure of 55 dBA or more. Third, the ESPR should measure ambient sound levels at, and discuss the impact of DNL levels of 50 and 45 dBA on, naturally quiet resources such as Great Meadows Natural Wildlife Refuge, Estabrook Woods, Walden Pond, Walden Woods, and the Old North Bridge.

1. The scope should specify the noise metrics to be used in the ESPR.

Massport representatives have publicly stated Massport's view that the question of what noise metrics are to be used in the ESPR is outside MEPA's jurisdiction. Presumably this is Massport's justification for waiting until the very day of the scoping session to give MEPA (and the Noise Workgroup) a final written response to the Noise Workgroup's recommendations: If MEPA has no authority to require Massport to implement the recommendations, then it doesn't matter when Massport tells MEPA what it plans to do. We believe Massport's position is incorrect, for two reasons.

First, Massport is not preparing an ESPR because it feels like it; it is doing so because the environmental laws and regulations of the Commonwealth require it to do so. The whole process is under MEPA's jurisdiction, and the scope of the ESPR is (as Massport representatives have also publicly stated, on numerous occasions) MEPA's scope, not Massport's. MEPA's broad authority to define the scope necessarily includes the specific authority to require particular analyses, measurements, etc. If Massport's proposed scope had failed to include any noise

discussion at all, surely MEPA could order it to include one; without such power, MEPA's authority to define the scope would be meaningless. Yet Massport's argument about metrics, carried to its logical conclusion, asserts that MEPA lacks such power. This cannot be. If MEPA can order Massport to include a noise discussion in the ESPR, then MEPA can order Massport to use particular metrics in that discussion.

Second, Massport did not set up the Noise Workgroup on its own initiative; it did so because the previous Secretary, in her Certificate for the 1995 GEIR Update, directed it to do so, with the express understanding that the Workgroup's recommendations would, among other things, govern the noise discussion in the next ESPR. (Perhaps "directed" is too strong a word, but "requested" would be too weak; the Secretary clearly expected Massport to create a noise workgroup along the lines she specified, and it did so.) The whole process was the Secretary's creation, and it makes no sense to argue, as Massport does, that the results of the process are out of the Secretary's hands. The previous Secretary cannot have intended the disposition of the Noise Workgroup's recommendations to be entirely at Massport's discretion. Certainly that was not the expectation of the members of the Workgroup, who devoted enormous amounts of time and energy to produce a report that Mr. Wickersham himself, in a letter to Workgroup chairman Reiner Beeuwkes dated February 18, 2000, called "impress[ive] by the quality and depth of study and analysis that it demonstrates. Your work on this project has gone far beyond what the Secretary envisioned in asking that the workgroup be set up – in terms not only of the length of your commitment but also in the usefulness of the work product."

2. The ESPR should incorporate Noise Workgroup recommendation M6.

Point 4 of our previous written comments, dated November 13, 2001, asks that all of the Workgroup's metrics recommendations be incorporated into the ESPR, but focuses particularly on recommendations M2 (Time Above contours) and M6 (community summary metrics). Massport's recent written response to recommendation M6 requires some additional comments.

Recommendation M6 calls for, among other things, a contour showing the area experiencing 30 minutes or more per day of exposure of 55 dBA or more. Massport responds that it will "report the areas experiencing 60 (rather than 30) minutes of exposure above 55 dBA because the 30 minute contour is more likely to reflect inaccuracies or over simplification in the noise modeling at large distances from the airport." This rationale is unacceptable and incorrect. Most of the area within the 30-minute contour is within two runway-lengths of the airport and therefore accurate, so the fact that a small part of it is far from the airport is not a valid reason for refusing to report it. The Noise Workgroup concluded, after long study, that the 30-minute contour is accurate and shows the area within which

people begin to be significantly affected by aircraft noise; Massport does not claim otherwise. This information is available at no financial burden to Massport and indeed was provided to the Noise Workgroup. It is difficult to escape the conclusion that Massport simply does not want the public to have this information. The remedy for Massport's alleged concern about accuracy is simply to define the distance from the airport at which the accuracy of the 30-minute contour becomes questionable.

Reporting the 30-minute contour for 55 dBA is very important. Massport's past practice of metrics reporting has always shown no impact, because it omits data beyond a very small distance from the airport. The public is confused by this and distrustful of the ESPR process, because places that the public believes experience significant impact **are shown on the Massport charts to be located in areas with no data**. This practice deprives the public of available and accurate information regarding the noise impact at all locations beyond a few thousand feet of the airport.

For reference, this 30-minute contour would approximately represent a site subjected to a close-range overflight every eight minutes on days when the closest runway is in use (assuming a uniform alternating runway usage). In an environment with a low background sound level, an ordinary person can see that this is certainly an impact level which ought to be disclosed; the public has asked that it be disclosed; and it would be arbitrary and not in the public interest to allow Massport to omit disclosure of this information.

3. The ESPR should measure ambient sound levels at naturally quiet resources and discuss the impact of DNL levels of 50 and 45 dBA on such resources.

Hanscom Field is surrounded by Great Meadows National Wildlife Refuge, the historic Estabrook Woods, Minute Man National Historic Park, Walden Pond and Walden Woods, which together comprise over 8,000 acres of protected public open space. No one can deny that the natural soundscape within these areas is a key component of their resource value and a vital part of the experience of visiting them. All of these areas are under Hanscom flight paths. Yet, remarkably, the ambient sound levels within these important resources have never been measured, and the impact of Hanscom overflights on them has never been discussed in the ESPR, because Massport has long adhered to the notion that DNL levels below 65 dB have "no impact." That level is simply what the FAA defines as rendering an area unfit for residential use unless homes are soundproofed; it has no bearing whatsoever on the impact of noise on an outdoor natural resource where visitors expect it to be quiet.

The EPA has recognized that DNL levels should be corrected or normalized to reflect a number of factors, including the type of community. *See* Paul Schomer,

A White Paper: Assessment of Noise Annoyance, April 22, 2001, pages 20-28 and 31-32 (“Schomer Report”).¹ There is an expectation of quiet in rural areas that makes noise more disturbing than it would be in an area where no such expectation exists. In suburban areas, the DNL level at which noise is recognized to be annoying should be reduced by 5 dB, and in rural areas it should be reduced by 10 dB. Schomer Report at 23 (Table 7), 28.

The Schomer Report defines a suburban area as one with a population density of less than 2,000 people per square kilometer (5,000 per square mile) and a rural area as one with a population density of less than 500 people per square kilometer (1,250 per square mile). However, regardless of whether the Town of Concord (for example) is deemed to be suburban or rural, the Estabrook Woods, which is located in the Town of Concord, clearly constitutes a rural environment in and of itself, and should be recognized as such for purposes of assessing noise impact. The same is true of all of the large tracts of protected public open space identified at the outset of this discussion.

At Massport’s public meeting on the proposed ESPR scope (though not, interestingly, in the written proposed scope itself), Massport finally acknowledged that the ESPR should contain a discussion of noise impacts within the 55 dB DNL contour. That is not adequate, however, when it comes to the naturally quiet resources surrounding Hanscom. Massport should measure the actual ambient sound levels within these important noise-sensitive resources; it should generate DNL contours of 50 and 45 dB, instead of stopping at 55 as in the previous GEIR; and the ESPR should address the impact of these lower DNL levels on the naturally quiet resources.

Thank you for your attention to this and to our earlier comments.

Sincerely,

Neil Rasmussen
President

¹ The Schomer report was submitted to MEPA on June 8, 2001, as Appendix D to the consolidated comments of Cohasset, Hingham, Hull, Winthrop, Somerville and Everett on the Final EIR for the Proposed Logan Airside Improvements Planning Project, EOE No. 10458. Copies of the cited pages of the report are submitted herewith for ease of reference.

Dear Mr. Secretary:

Save Our Heritage is a community based organization deeply concerned with the impact of Hanscom Field expansion on the historic sites in the area and submits this letter to EOEa in response to the request for comments regarding the Scope for the upcoming ESPR for Hanscom Field.

We request that the scope provided by the EOEa to Massport clarify and expand upon the Proposed Scope which was submitted by Massport. There are four points we believe need to be explicit in the Scope Document:

1) The forecast and Impact Assessment should be required to be for years 2005 and 2010 instead of the years 2005 and 2015 as proposed by Massport.

Justification:

There is no reason to believe that Massport can make reasonable projections to 2015, and the inappropriate use of the impact assessments relating to long term projections has mislead the public regarding environmental impacts.

- The demonstrated inaccuracy of past forecasts even over a 5 year period makes a 2015 analysis meaningless and misleading.
- The future status of Hanscom Air Force Base is in question and a change in status would dramatically affect long range projections.
- The rapidly changing regulations regarding airport security and airspace control surrounding hub airports like Logan airport will dramatically affect long term projections
- Massport has wrongly used the impact analysis of long range projections when communicating with the media and the public regarding the impact of short term actions.

2) That the analysis of Cargo operations at Hanscom be limited to the analysis of “Presently Operating Types” as defined in the Hanscom Field Master Plan, and that the operation of any major cargo operators such as Federal Express, DHL, UPS, or USPS be subject to a separate EIR.

Justification:

The Hanscom Field Master Plan specifically addresses Cargo Operations with the following policy statement on page 19:

The presently operating types of Cargo Services at Hanscom Field will be continued. Prior to implementation of new and/or expanded cargo service, proposals will be thoroughly reviewed with the Hanscom Field Advisory Committee for their economic and noise emission implications.

The Master Plan further defines the “presently operating types of cargo service” as follows:

1) Small business jets which have been converted for cargo use; 2) air taxi cargo services in small propeller-driven aircraft which are also modified versions of business passenger aircraft.

The ESPR should restrict its scope to the study of the continued or expanded use of the presently operating types of cargo service for the following reasons:

- The initiation of service by a major cargo carrier is a very specific project best studied in response to a specific proposal and not as part of a generic analysis.
- There has been no review of any proposals with the Hanscom Field Advisory Committee so it would not be appropriate to bypass this step and commence an analysis which could later be used to sidestep or override public disclosure or review.
- The study of a purely hypothetical scenario of cargo is not likely to match an actual proposal and is therefore unlikely to provide an environmental impact disclosure that serves the public’s interest, and may actually mislead the public.

3) That the public hearings as part of the public process not be held during the months of July and August.

Justification:

These months are an inappropriate selection because a large number of citizens and public officials will not be able to attend a series of hearing during this period and will be deprived of their ability to properly be informed on the various subjects. This prevents the communities from being fully informed and from having their voices heard.

The people of the communities share a belief that Massport deliberately sets these meeting up in July and August in order to reduce community participation. It is clearly in the public interest that the communities believe that a fair and reasonable public process is occurring. Ensuring that the hearings are not held during July and August will decrease community rejection of the process.

- 4) That the Noise Metrics used in the ESPR to describe the impact of the airport specifically include the as-is and projected Time Above Contours for 55 and 65 dba showing 15, 30, 60, 90, and 120 minutes, and that the following three summary community metrics also be provided: 1) Area experiencing 30 or more minutes per day of 55dBA or greater, 2) Area impacted by Noise per EPA, and 3) Monthly loud events count.**

Justification

The report of the Hanscom Field Noise Workgroup made specific recommendations regarding the description and use of noise metrics. We believe that all of the recommendations should be incorporated into the ESPR. However, two of the specific recommendations, M2 and M6, are of particular importance and should be unambiguously part of the Scope document by inclusion of the above requirement.

These metrics should be incorporated into the scope for the following reasons:

- The group tasked with recommending what changes needed to be made to the ESPR in order to provide full and appropriate disclosure of environmental impacts, the Noise Workgroup, finds these metrics are required.
- These metrics come directly from the Integrated Noise Modelling computer program which Massport will use for the ESPR and are a simple additional report from the program.
- The Time Above Contours are routinely used at other airports, including Logan, and many noise professionals consider them a superior means of assessing impact than the common DNL method.
- Unfortunately there is a belief held in the communities that Massport does not want the communities to know the information which these metrics will convey. It is in the public interest for the communities to believe that information is not being hidden from the public, particularly when there is an insignificant cost associated with providing the information.

Summary

We believe that incorporating the above four points into the Scope for the ESPR benefits the public in the following ways:

- It will help to ensure full public disclosure regarding the environmental impacts of Hanscom Field Expansion.
- It will help to restore public confidence in the process

We find ourselves faced with an extremely difficult public policy problem of having an airport whose expansion is slowly transforming irreplaceable historic places like Minute Man National Historical Park, Walden Woods, and the Great Meadows National Wildlife Refuge into an airport buffer zone. Since the last GEIR we have been faced with Terminal Expansion, Runway Expansion, 50% growth in Jet Operations, Commercialization of the Airport via the FAA Part 139 process, a quadrupling of airport auto traffic, and now a large deforestation project.

The 1995 GEIR found, in table 4.3-3, that zero people were impacted by noise in the towns of Lexington, Concord, and Lincoln. Yet it is a fact that there are more noise complaints filed at Hanscom Field than there are at Logan Airport. Improvements in the ESPR are needed.

An appropriate ESPR can be an important part of the difficult public policy problem we face at Hanscom Field. We believe that incorporating the four points as outlined above into the Scope document is a needed step that will help with this process.

Neil Rasmussen

President,
Save Our Heritage