

Hanscom Area Towns Committee

c/o Bedford Town Offices, 10 Mudge Way, Bedford, MA 01730

July 30, 2003

Ms. Ellen Roy Herzfelder, Secretary
Executive Office of Environmental Affairs
Attn: MEPA Office; William Gage, EOEA #5484/8696
251 Causeway Street, Suite 900
Boston, MA 02114

Dear Secretary Herzfelder:

On behalf of the Hanscom Area Towns Committee (HATS), I am pleased to submit the attached HATS and its Environmental Sub-Committee's [ESC] comments for the 2000 Final Environmental Status and Planning Report (FESPR) on L.G. Hanscom Field. HATS is the Growth and Development Policy Committee established under M.G.L. ch. 40A with Bedford, Concord, Lexington and Lincoln as member municipalities and ESC provides technical and advisory support.

Among its powers under the statute HATS is empowered to engage in all acts and conduct for the purpose of intergovernmental planning of balanced growth and development issues; to provide mutual planning, comment and review of balanced growth and development issue which has significant impact upon the health, safety and welfare of the citizens of more than one member municipality; to research, develop, sponsor, fund and implement programs designed to address balanced growth and development issues. In discussions with HATS, Massport had committed to working with HATS as a key entity regarding planning issues of any future development at Hanscom.

In its statutory role, HATS and the ESC have engaged consultants and enlisted community volunteers to review and comment on the L.G. Hanscom Field 2000 Scope, Draft, and Final EPR submitted by Massport to the Executive Office of Environmental Affairs (EOEA), EOEA Number 5484/8696. Each of the representatives of the Towns Selectboards and Committees has approved the submitted supplementary FESPR comments prepared by the ESC. They and various constituencies have eloquently identified the special environment in which Hanscom Field is located. As stewards of this precious environmental and historical resource area, we take any threats of damage to this environment very seriously.

The following document represents the conclusive technical comments prepared by the ESC and HATS consultants as they relate to the FESPR. These comments, although comprehensive, should not be considered as inclusive of all the many issues. We are aware of comments by other Town's boards and individuals that will discuss additional key issues, and strongly urge you to take them all into account. We hope that EOEA will study these analyses and we urge you to direct Massport to create a more responsive and technically accurate version of the 2000 FESPR that is responsive to the EPR scope and that takes real account of existing local,

regional, and federal plans. The Community looks to your leadership to move this process forward in a fundamentally different way that may lead to a meaningful and productive ESPR.

Finally, HATS wishes to publicly thank the ESC for its diligent efforts and comprehensive review.

Sincerely,

Signed

Sheldon H. Moll,
Chairman, Hanscom Area Towns Committee
Selectman, Town of Bedford

Sara A. Mattes, Selectman, Town of Lincoln
Jeanne K. Krieger, Selectman, Town of Lexington
Anne D. Shapiro, Selectman, Town of Concord

Environmental Subcommittee
of the Hanscom Area Towns Committee (HATS)
Town of Lexington, 1625 Massachusetts Avenue, Lexington, MA 02420

July 30, 2003

Secretary Ellen Roy Herzfelder
Massachusetts Executive Office of Environmental Affairs
Attn.: MEPA Office, Mr. William Gage, Analyst
251 Causeway Street, Suite 900
Boston MA 02114

RE: Final ESPR, 2000 L. G. Hanscom Field, Bedford, Massachusetts, EOEa No. 5484/8696

Dear Secretary Herzfelder:

The Environmental Subcommittee of the Hanscom Area Towns Committee (HATS-ES) reviews environmental issues relating to L. G. Hanscom Field Airport (Hanscom) on behalf of the HATS Committee. HATS represents the four towns abutting Hanscom; i.e., Bedford, Concord, Lexington and Lincoln.

We have examined the Final ESPR (FESPR) filed by Massport on May 31, 2003 and have performed an analysis with recommended actions. At the direction of HATS, we are submitting the HATS-ES comments to you on their behalf: Our comments include recommended EOEa actions, an analysis of the FESPR, and a resubmission of our Draft ESPR comments (which we ask be considered part of our FESPR comments just as the DESPR was designated part of the FESPR by Massport)

Our overall conclusion is that Massport has not adequately responded to your Certificate dated 16 December 2002, and that the responses provided are perfunctory and non-responsive so that a meaningful analysis of the anticipated environmental impacts is virtually impossible without supplemental information. The scenarios are not meaningful. Impacts are minimized or ignored. Answers to comments are selectively incomplete, and plans for the future projects are vague and incomplete.

Our basic recommendations are similar to those we recommended on the DESPR. If you need any clarification of our comments, we would be glad to provide it.

Sincerely yours,
Signed

Julian J. Bussgang
Richard L. Canale, Co-chairs

c/c National Park Service
Secretary Douglas I. Foy
Local Massachusetts Legislators

HATS Selectmen
Massport
National, State, & Regional Commenters

**HANSCOM AREA TOWNS COMMITTEE –
ENVIRONMENTAL SUBCOMMITTEE
(HATS-ES)**

Written comments

to

Executive Office of Environmental Affairs
Massachusetts Policy Act (MEPA) Office

Secretary Ellen Roy Herzfelder
EOEA, Attn: MEPA Office
William Gage, EOEA No. 5484/8696
251 Causeway Street, Suite 900
Boston, MA 02114

on the

2000 L.G. Hanscom Field Final ESPR

July 30, 2003

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**Hanscom 2000 FESPR
Written Comments by HATS
Environmental Subcommittee
July 30, 2003**

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HATS-ES Comments on the Draft ESPR, 11/26/2003

ACTIONS SUGGESTED TO THE EOE

EOEA Number 5484/8696; MEPA Office, William Gage, Analyst

FINAL ESPR 2000 L. G. HANSCOM FIELD, BEDFORD, Massachusetts

The Environmental Subcommittee of Hanscom Area Towns Committee (HATS-ES) has reviewed the Final ESPR submitted by Massport on May 30, 2003 (FESPR) and has found that the FESPR fails to properly and fully respond to the Secretary's Certificate of 16 December 2003 (the Certificate) and to our previous MEPA Comments submittal dated November 2002. More detailed comments listing specific examples of these failures are listed in later in this submittal.

We ask that the new certificate remedy the deficiencies of the DESPR and the FESPR, and we respectfully recommend the following actions to the Secretary:

1. RECOMMENDED FESPR FINDINGS AND ACTIONS

1.1 SUPPLEMENTAL FINAL ESPR: We respectfully ask the Secretary to determine that the Final ESPR does not meet the prescribed requirements of the Certificate and does not present a complete and meaningful analysis and the necessary assessment of potential environmental impacts and mitigation measures, or any description of potential alternative uses of Hanscom Field, sufficient to allow Massport (the Proponent) to fulfill its obligations in accordance with M.G.L. c. 30, section 61 and 301 CMR 11.12(5) [Ref. 1].

We urge that you require Massport to file a Supplemental Final ESPR [Ref. 2].

1.2 IMPACTS: The FESPR depicts significant environmental impacts as a result of projections of more vehicular traffic, more noise from aircraft and motor vehicles, more dangerous emissions, plans for more water pollution, tree and vegetation removal, removal of wetlands and wildlife habitat, etc. Massport discusses some mitigation (FESPR, Chapter 12). Yet, notwithstanding the prospects of serious environmental impacts due to the outlined scenarios, Massport has maintained that Hanscom activities do not cause environmental damage.

We ask that the Secretary find that the postulated operations and development at Hanscom will cause significant environmental impacts. If the EOE does not have the ability to verify the claim of no significant impact, at the least, it should be stated so in the Certificate

1.3 LEGAL STATUS OF DESPR: The FESPR states that "the *Final ESPR* document is complementary to and a continuation of the information that was presented in the *Draft ESPR*. Together, the *Draft ESPR* and the *Final ESPR* form a set of documents that represent the 2000 ESPR for Hanscom Field" (FESPR, p.1-1).

In order to avoid future confusion as to which part of the Draft document is superceded in the Final document, we ask that the Secretary make it clear to

Massport and the public that where the two documents differ, the Final ESRP document will take precedence. Some qualifying language should be inserted that will provide an understanding which parts of the Draft document are invalid.

1.4 EIR & ENF THRESHOLDS The mandatory thresholds listed in the regulations CMR 11.03 in the Section (6) Transportation, are related to a major hub airport like Logan. However, under Subsection (b) of Section (6) the Secretary may set lower thresholds and require ENF and Other MEPA Review.

Since the ESRP process is not specifically defined in the MEPA regulations, but operates from a discretionary caveat defined by the EOECA Secretary, and since Hanscom Field is a unique entity that resides in the midst of one of America's Most Endangered Historic Places, it is not unreasonable to have a much stronger environmental oversight of activities at Hanscom Field. To that end, the Secretary should establish a discretionary level of MEPA Review Thresholds for Hanscom Field projects. Ideally such thresholds would be established based on dialogue with both Massport and the communities either collectively or independently.

We respectfully request the Secretary to set lower thresholds on EIR and ENF review for activities at Massport's Hanscom Field in view of the critically sensitive historic, cultural, and natural environment of the surrounding area that includes the Minuteman National Historical Park and other regionally, and nationally sites. We ask that the Secretary reserve to her Office full discretion of inquiry and review, as appropriate, new projects and developments brought to its attention by HATS and other parties regardless of whether they exceed the mandatory thresholds.

2. REQUIREMENTS RECOMMENDED FOR INCLUSION IN THE CERTIFICATE

Listed below are specific measures recommended to minimize environmental damage from activities at Massport's Hanscom Field. In order to minimize and mitigate Damage to the Environment to the maximum extent practicable, we urge the Secretary to incorporate these measures in the instructions for the Supplemental FESPR, in the final certificate for the 2000 ESPR, and/or in the scope for the next Hanscom ESPR.

2.1 SECTION 61 FINDINGS: Because of the many deficiencies of the 2000 FESPR, we ask that the Secretary require that Section 61 Findings [Ref. 10] be prepared like those following the preparation of the 1995 GEIR [Ref. 3 & 4].

The court has upheld the EOE position that Section 61 determination could be made only after the filing pursuant to Section 62 [Ref. 11].

2.2 PERIODIC EVALUATION OF EMISSION INVENTORIES & MITIGATION: Massport has not fully accepted the recommendations of the DEP contained in the 26 November 2002 letter of DEP (FESPR pages A3-9 and A3-10) that Massport should institute proper monitoring of air quality and emissions and the related mitigation measures at Hanscom.

We respectfully ask the Secretary to determine that Massport should monitor on a regular basis and file periodic reports of the measurements of air emissions at Hanscom Field from aircraft and ground vehicles, including the counts of NOx and particulates as stipulated by existing MEPA Regulations [Ref. 1].

We also ask that Massport be required to adopt mitigation strategies for clean fuel emission program similar to those at Logan and that meaningful measures constraining future growth of emissions by limiting tenant expansion and infrastructure development be put in place.

2.3 PERIODIC EVALUATION OF WATER QUALITY & MITIGATION: We note that Massport has not fully accepted the recommendations of the DEP contained in the 14 November 2002 letter of DEP (FESPR pages A3-10 and A3-11) that they should institute proper monitoring of water pollution and bacteria count.

We respectfully ask the Secretary to determine that Massport should monitor water quality and toxicity in Elm Brook, Shawsheen River and Hobbs Brook and water levels in the wetlands on a regular around Hanscom Field and file periodic reports of these measurements. Both Elm Brook and Shawsheen River are on the October 2002 DEP the "Proposed List of Category 5 Impaired Waters." Hobbs Brook is critically important as it feeds to the Cambridge Water Reservoir. Hobbs Brook was not really considered in the FESPR. The initiation of regular monitoring is particularly urgent and consistent with MEPA's regulations [Ref 1] in light of Massport's announced intensified runway de-icing and icing prevention program.

We ask that Massport be required to adopt specific mitigation strategies for clean the water pollution due to its activities and that it be required to report periodically on how it is advancing the US EPA's Total Maximum Daily Load (TDML) program to restore water quality in Elm Brook and Shawsheen River.

We also ask that Massport identify specific strategies to minimize the impacts of additions and increases to impervious surface at Hanscom (FESPR Table ES-3). Any new project involving such increases should require a separate EIR analyzing the impacts and reporting the Storm Water Management practices proposed to minimize such impacts.

We also ask that the Deicing study be included in a Supplementary ESPR and be subject to MEPA review.

2.4 PERIODIC MONITORING OF GROUND TRAFFIC: In the FESPR Massport did not commit to periodic monitoring of ground traffic to be generated over the next five years due to Hanscom Airport operations.

In page 5 of Appendix E to the comments on the DESPR that we submitted on 26 November 2002, our professional ground traffic consultants recommended monthly reporting to MEPA and HATS of Average Daily Traffic counts (ADTs) on Hanscom Drive along Airport approach roadway.

We respectfully ask that the Secretary make such reporting one of the conditions of the final certificate.

2.5 MONITORING OF NOISE: Massport has no monitors at any specific sensitive points identified in the FESPR. Impacts at these points are currently determined only by analysis.

We ask that the Certificate require Massport to set up monitors in at least three of the several sensitive sites; e.g., Wheeler House in Concord identified in the FESPR (p. 10-7; also N20, Fig. 10-1) as the historic site with the highest noise exposure level; Thoreau-Alcott House/North Bridge in Concord (FESPR, N13, Fig. 10-1); Orchard House in Concord (FESPR, N15, Fig. 10-1); Davis School in Bedford (1995 GEIR vol. III, S2, p. A.3); Estabrook School in Lexington (1995 GEIR vol. III, S15, p. A.5), Daniel Brooks House in Lincoln (FESPR, N35, Fig. 10-1), Ripley School in Concord, Simmonds Tavern in Lexington (FESPR, N33, Fig. 10-1).

Massport has not committed in the FESPR to moving the three monitors the Noise Workgroup (NWG) asked to be moved (FESPR Table 7-6, p. 7-6).

We therefore ask that Massport be clearly instructed to relocate monitors at the three sites identified by the NWG: Site 34-Bedford DeAngelo (affected by the background noise of vehicular traffic), Site 35-Lexington Preston (on the slope affected by the Rte. 128 traffic noise), and Site 36-Concord Wastewater (affected by background noise from the wastewater plant) according to the Recommendation M11 of the NWG (FESPR, p. 7-6).

We also ask that Massport be required to adopt more of the recommendations of the Noise Workgroup by working with the HATS Environmental Subcommittee.

2.6 FEE REVISION TO DISCOURAGE LARGE AIRCRAFT Some of the owners of small aircraft based at Hanscom have indicated that Massport's proposed new fee schedule is tough on small aircraft owners, which is inconsistent with the 1978 Master Plan, which committed to policy to a policy of "maintaining Hanscom Field to the uses it now (1987) serves." (see Master Plan, pages 12 and 15-16).

In accordance with the Certificate's emphasis on compliance with the Master Plan, we ask that the Secretary encourage much bigger fees on big aircraft, turboprops, jets, commercial airlines, scheduled cargo services, and charter flights. We support lower fees on small aircraft. "Fees" should mean both the fees on aircraft operations and on the facilities leased out by Massport to the Fixed Base Operators and on hangar space renters. Massport should review the state regulation 740 CMR 21.24 and extend it meaningfully to the situation at Hanscom.

2.7 DISCOURAGING CARGO OPERATIONS Any expansion of cargo services at Hanscom, such as the introduction of carriers using large aircraft is inconsistent with properly protecting

the environment of the National Park and the historic areas around Hanscom. Cargo shipments affect ground traffic by large trucks, nighttime noise, and security of the Air Force base and the entire area.

Any implementation of new and/or expanded cargo services should be discouraged by Massport when a proponent applies, fees for infrastructure facilities should be set as high as legally possible, and no transactions should be negotiated by Massport without a thorough review with HFAC and HATS. We ask that the Secretary direct Massport that such a review as called for in the Hanscom Master Plan. This review should cover issues of fees, security, access, and economic and noise impacts.

2.8 FULL DISCLOSURE OF PLANNED PROJECTS The FESPR states that the Runway Safety Area (RSA) project for Runway 23 is one of the projects included in Massport's five-year capital program (FESPR, p. 4-3). Later on in the document (FESPR, p. 9-7), Massport claims that "The Hartwell Forest/Jordan Conservation Area and the VMP are not related to the Runway Safety Area Project." It is clear that Massport has been planning the RSA project for some time now, and that it has discussed it with the FAA. The Hartwell Forest/Jordan Conservation Area in Bedford are discussed very briefly in the DESPR (DESPR, p. 10-15), but no plans are provided to illustrate that is intended, although FESPR promises "close cooperation with the FAA and the Town of Bedford" (FESPR, p.9-7). A major purpose of ESPR is to discuss future activities and their prospective impacts. Segmenting out the discussion of future impacts on the land in Bedford is contrary to regulation [Ref. 9]

We ask that the Secretary require Massport to supply to the MEPA Office and to HATS the full plans for the RSA changes planned at the end of Runway 23; maps and that correspondence on the subject with FAA should be provided to the MEPA Office and HATS. Such information is needed for the Secretary to determine whether this is or is not one project [Ref. 9].

2.9 NIGHTTIME ENGINE RUN-UPS AND SELF-PROPULSION Nighttime noise has a major impact on the quality of the environment.

State regulations (310 CMR 7.11) specify [Ref. 6] that nighttime engine run-ups, which contribute to disturbing noise (an aspect of "air pollution" under state regulations) outside of the airport boundary lines should be limited and controlled. Massport representatives informed HATS that no written regulations exist and have never made either a permission application form or the log available for inspection.

We ask that the Certificate require Massport to prepare written regulations on nighttime engine run-ups and submit the application form, the grant of permit form and a sample page of the log for inspection by the MEPA Office and HATS.

Massport ignored the suggestion to ban nighttime self-propulsion, and several other very specific suggestions, in BUSJU.9 (FESPR, p. A3-200), which the FESPR claims to have answered in p. A2-31.

We ask that the Certificate instruct Massport to review the provisions in state regulation 740 CMR 245.06 on eliminating nighttime self-propulsion, currently applicable only to Logan, so as to extend it to Hanscom.

2.10 NEW LEASES Chapter 4 of the DESPR outlined some of Massport's extensive infrastructure development Hanscom Field Planning Concepts (e.g., Table 4-4, p. 4-12). In the

FESPR responses to comments, Massport asserts (p. A2-27, MEPA.10, HATS.11, SHHAIR.17) that

"future environmental review would occur if an action exceeds a MEPA or NEPA threshold, or required review under other appropriate regulations such as Wetlands Protection Act."

Massport's past practice has been to separate out individual projects and require their Proponents to file separate ENF or EIR. As a practical matter this means that, contrary to the regulation, projects are being segmented into smaller entities that may not require review. Moreover, Massport disclaims responsibility for the individual reviews passing them on to their current or prospective lease holders and calls it "Third party development" (FESPR, p. 1-8). Thus, each building is treated as if it had its own impervious surface, and its separate parking, although it is all on Massport's Hanscom property and all served by a common access road.

We ask the Secretary to affirm clearly in the Certificate that New Leases, such as to build a hotel or new hangars or new office building on the Massport property be treated as Land Transfers that will require ENF or EIR [Ref. 7] and that segmentation will not be tolerated. Development of the airport and the land around it should not be treated piecemeal [Ref. 9].

2.11 NATIONAL PARK & HISTORIC AREA After the FESPR was issued the Minuteman National Historical Park (MMNHP) and surrounding area have been designated by The National Trust for Historic Preservation of one of the most environmentally endangered areas in the United States.

We ask that the Certificate reassert the importance of this designation and encourage Massport to back off its aggressive growth plans for Hanscom.

The FESPR should recognize that limitation of overflights over National Parks has been the subject of Public Law 100-91, and that MMNHP and the surrounding historical area are treasured national heritage sites that deserve maximum protection from overflights, noise and unwarranted vehicular traffic.

2.12 MITIGATION MEASURES Later in this report, are listed a number of specific mitigation measures that should have been included in the FESPR, but were not, and which should be specified in the instructions for the Supplemental FESPR, the Final Hanscom 2000 FESPR Certificate and the scoping document for the next Hanscom ESPR.

We ask the Secretary to require an acceptable mitigation plan be defined and committed to by Massport.

2.13 WORKGROUP CONCEPTS The Secretary gave particular recognition to the contribution of the Noise Workgroup.

We ask that Massport be asked to continue and strengthen the community workgroup concept relative to other ongoing airport concerns

3. FURTHER MEPA REVIEW AND THE NEXT HANSCOM ESPR

3.1 PROJECT REVIEWS: After the 1995 GEIR, when the number of commercial operations grew at a much faster rate than even the predicted "aggressive" scenarios, Massport claimed that the rate of growth was of no significance as long as the future scenarios in the GEIR had considered impacts of as much aviation activity, noise and ground traffic. Such an interpretation makes the rate of growth of the scenarios meaningless, and does not permit an interim evaluation of the validity of previous assumptions and evaluation of the actual environmental impacts that may require mitigation measures and intervention of the MEPA Office. As Massport points out they can not control aviation growth, they can only control the infrastructure that can allow or not allow certain levels of operation. Thus rate of growth is a critical factor in predicting what Massport may build or allowed to be built at Hanscom that can lead to significant environmental damage not originally predicted.

We ask the Secretary to make it clear to Massport that, should the actual rate of growth exceed projections, Massport will be required to update the scenario depiction and analysis of impacts of such accelerated growth.

3.2 NEED FOR FUTURE ESPRs We request that before a decision is made to go forward with additional ESPRs, a review of the need and usefulness of the Document and its process be discussed by the key stakeholders. From a community's perspective, the community's money and time investment in engaging in an ESPR process is significant. The apparent outcome is a document that is relatively meaningless. With the streamlined MEPA regulations, the GEIR has become moot. The "replacement" ESPR has no formal basis in regulation and has never been adequately defined by MEPA or Massport. A full discussion needs to occur to define what process should go forward.

3.3 CITIZEN ADVISORY COMMITTEE (CAC) We request that in the event of a next Hanscom ESPR process, HATS, a committee broadly representing the local communities, be designated as the CAC, or as an official equivalent [Ref. 3].

3.4 MEANINGFUL REPORTING OF FLIGHT ACTIVITY In its presentations, Massport's position is that all flight activity is equivalent (DESPR pp. 3-4 & 3-5; FESPR, pp. 3-2 & 3-3); i.e., the number of operations is not growing excessively. Such an approach ignores the difference between national security needs and pleasure and convenience traffic. It also ignores the fact that in the past many of the operations were by small aircraft and the touch-and-go school flights. In reality, the sizes of aircraft using Hanscom and the noise and emissions they generate have increased dramatically. For example, the number of jet operations has grown annually on the average over 16% between the 1995 GEIR and the 2000 base year of the current FESPR, or in total 111% (more than doubled).

We urge the Secretary to require Massport in the future to report not just the number of operations but also the average weight of aircraft carrying out the operations, the average engine power, and the certification noise level. This will provide a better sense how the activity at the airport is growing.

3.5 DESCRIPTION OF PLANNED PROJECTS The Scope and the DESPR Certificates asked for a description of the planned projects. However, Massport included in the FESPR only a very cursory description of the planned projects, such as the RSA expansion.

We ask that, in the next Hanscom ESPR, the Secretary require Massport to substantiate the listing of planned projects with a full description and that Massport be asked to enclose its applications for funds to the FAA or anyone else (DOT, Mass Aeronautical Commission etc.) in connection with such projects, because applications for funds tend to contain more information.

3.6 ANSWERS TO QUESTIONS In the current FESPR Massport and its consultants adopted an atrocious system of answering comments. In many cases, when there are several comments in one paragraph, only one comment is answered. Sometimes the answers acknowledge the point, but provide meaningless, cursory answers. Instead of showing on the comment letter where the answer is located, the index of answers is lumped in such a way that it is very difficult to find the answer to your own comment.

We ask that the next Hanscom ESPR prescribe a much better and "user friendly" format. We also ask that answers to all the comments be required, not just artificially clustered meaningless and unrelated responses.

A useful index, with page numbers, for locating comments and responses needs to be required

3.7 REGIONAL TRANSPORTATION The Boston Sunday Globe of 27 July 2003, Travel Section (pages M1 and M14) reports that travelers who once shunned Logan international Airport because the "Big Dig" made it so inaccessible are now finding that ground travel time has diminished and is predictable. The air fares have dropped. Thomas Kinton, Massport's director of aviation, is quoted saying that "It's never been easier to get in and out of this airport and it's only going to get easier." He is also quoted saying recently that the airport congestion is reduced and that he thinks a popular discounter JetBlue Airways will choose to come to Logan. The July 2003 Travel Newsletter available at the Logan Airport reports that May 2003 traffic at Logan was 4.6% below May 2002. Yet, Massport chose to adopt a growth scenario that would bring 659,872 commercial passengers to Hanscom by 2015 as compared to 134,337 in 2001 (DESPR, p. ES-7, Table ES-2), a totally unreasonable and unrealistic growth by approximately, a factor of 5!

We ask that the next ESPR not permit modeling such aggressive growth and that the growth factor apply not to "operations" in general, but to the major categories of operations individually.

3.8 RUNWAY PATTERNS The noise impacts are closely related to flight patterns on each runway.

We ask that the next Hanscom ESPR require Massport to report separately and more fully activity on each runway, and discuss flight patterns that took place and those that are projected, as well as any changes landing and take-off points.

3.9 WETLANDS & WILDLIFE The discussion of wetlands and wildlife habitat in the 2000 DESPR was extracted from the 1995 GEIR and VMP (DESPR, p.9-4).

We ask that in the next Hanscom ESPR there be an updated stand-alone description of impacts the airport has had on wetlands and wildlife, including the current situation, comparison to the previous situation, dimensions and location of wetlands, and changes in wildlife habitat.

HATS-ES ANALYSIS & COMMENTS ON THE HANSCOM 2000 FESPR

In the 16 December 2002 Certificate ("Certificate") the Secretary directed Massport to address and resolve, in the Final ESPR (FESPR), a number of issues missing in the Draft (DESPR) and respond to comment letters.

Below we list the issues the Certificate requested be resolved followed in each case by our assessment of instances in Massport's FESPR of inadequacies and omissions. We found that Massport's general attempts at resolution was to acknowledge the requirement and state that Massport has already responded or is now addressing the issue in the FESPR. However, in most cases, the FESPR lacked sufficient documentation so that not even a skilled reviewer could understand whether the response was adequate or not.

I. EXECUTIVE SUMMARY:

The Executive Summary should provide a summary of the major sections of the FESPR, with supporting graphics and data tables. It should be made available as a separate document to facilitate wider distribution, including Massport's website. The FESPR should summarize the revised and updated sections from the DESPR (Cert., p. 3, Item I).

- The FESPR has no separate Executive Summary. A wide effective distribution of key information has not occurred. A reader would have had to access the document from a CD or have ordered a 1.7 inch thick hard copy report and search through it, because there is no Executive Summary section and no index.

II. INTRODUCTION:

This section should generally introduce the FESPR and place it in its environmental and regulatory context and describe the organization of the 2000 Hanscom Field FESPR (Cert., p. 3, Item II).

- The section, Hanscom Field Environmental Review Process (FESPR, p. 1-2), on the context to be provided in the FESPR, quotes only three of the four paragraphs from the current Certificate. It is the fourth paragraph that reminded Massport of the necessity to resolve outstanding MEPA requirements; this context is missing and a reader is left without clear direction as to what is still valid in the draft ESPR and what is superceded.

FACILITIES AND INFRASTRUCTURE

The FESPR should report and analyze the status of the Authority's tenant audit program regarding environmental impacts from present and proposed facility operations (Cert., p. 3, Item III).

- FESPR does not present, or analyze, or even summarize tenant audit reports. It certainly does not identify, or deal with how present or proposed facility operations relate to tenant audit program. The last time a comprehensive environmental compliance audit

of all facilities was conducted was in 1998 (FESPR p. 2-2); i.e., too long ago to be of current value.

- Environmental issues that were noticed during the audit are not identified, nor does the FESPR mention how they were corrected.
- Actual or potential damage to the environment identified by the audits is not presented, so that MEPA review cannot suggest or evaluate appropriate mitigation measures.

IV. AIRPORT ACTIVITY LEVELS

The FESPR should use specific analysis years to integrate airport activity levels with other areas of analysis, such as traffic projections (Cert., p. 3, Item IV).

- * Year 2000 was supposed to be the baseline year, yet the FESPR uses 2002 as the ground traffic baseline year. The FESPR ignores data from years prior to 2001 or 2002 as far as traffic projections are concerned and does not integrate airport activity levels with some other areas of analysis; e.g., emissions and air pollution.

IV.1) Characterization of Future Scenarios Massport should use this analysis to determine whether future forecast scenarios can be characterized by other descriptors such as annual air passenger levels (Cert., p. 3, Item IV).

- Future forecast scenarios could be characterized more effectively by separately examining activity on each runway, and by discussing the average weight of aircraft using Hanscom, because weight determines engine power required and the load that needs to be transported to and from the airport. None of this is done in the FESPR.
- FESPR blends in touch-and-go operations, which accounted for most of Hanscom activity, with the big aircraft take-offs that cause higher levels of noise and account for the most significant roadway traffic. This approach seems deliberately designed to present a misleading picture suggesting that, since the number of “operations” is consistent with, or even lower than the 300,000 operations in 1970 (FESPR top of p. 4-5), airport activity has not grown. It is like comparing raisins and oranges. Not all operations are equivalent in their environmental impacts. For example, ten touch-and-go operations by one aviation student means one ride to the airport and one return trip, i.e., two vehicular movements on the road to the airport. However, a charter trip jet taking off could mean 100 passengers, or 200 (and not two) traffic movements on the road. Light aircraft require a shorter approach for landing than heavy aircraft hence their noise impacts are confined closer to the airport. Light aircraft require less engine power, generate less noise, burn less fuel, and exude fewer fumes. They pollute air less. It is deceptive to equate the old touch-and-go, the numbers of which are decreasing at Hanscom, to the new invasion of jets, big turboprops, and the projected invasion of cargo Airbus giants. As far as environmental impacts and damage are concerned, it is not simply the number of operations, but it is rather the weight and engine power of the aircraft displacing them. According to the FESPR, the number of jet operations is projected to increase from 8,105 in 1992 (FESPR, p. 3-2, Table 3-1) to 177.6 jets /day by 2015 in the High Growth Scenario (FESPR, p. 7-8, Table 7-4), or, since there are 365 days in a year, this translates to 65,002 jet operations. It is deceptive and disingenuous

to argue that such an eightfold increase will not damage the surrounding environment \, which includes the National Park.

IV.2) Constraints of 1987 Master Plan The process for the new passenger service at Hanscom should be discussed within the constraints of the 1987 Master Plan (Cert., p. 3, Item IV).

- The major constraints of the Master Plan are that there should be no changes in the type of operations and no commercial passenger operations (Master Plan, pp. 12, 13, 15). These constraints are not even mentioned in the FESPR and are ignored in the current operations and planned growth projections.
- Massport describes the future scenarios as hypothetical and not necessarily what will happen (DESPR, p. 1-1). Yet, when commercial passenger activity grew faster than was projected in the 1995 GEIR, Massport justified the growth that occurred, in defiance of the previously outlined GEIR scenarios, as having been consistent with the growth originally projected for 10 years later. Moreover, right after the completion of the 1995 GEIR Massport announced that its hypothetical scenarios were suddenly definite plans. Thus, projecting "moderate" and "aggressive," gradual growth over 15 years was just a ruse to grow the airport, in a very short time, excessively and contrary to the scenarios outlined in the 1995 GEIR. Likewise with the 2000 ESPR, Massport announced at the time of the filing of this FESPR that its hypothetical cargo scenarios are now being supported by Massport as real plans. The projected impacts of "Aggressive Growth" need to be taken very seriously.
- Massport states that the Master Plan calls for airlines to review their proposals for new cargo service with the Hanscom Field Advisory Commission (FESPR p. 3-5); the actual wording of the Master Plan is: "The presently operating types of cargo 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." (Master Plan, p. 19). No such review with HFAC has taken place during the FESPR, so that projecting cargo service at Hanscom is quite premature.
- Massport states that "The potential for scheduled cargo services at Hanscom Field will be driven by the growth in cargo demand in the Boston metropolitan area and land constraints at Logan Airport that could limit future all-cargo growth there (DESPR, p. ES-7). Press reports indicate that the previous land constraints at Logan have been resolved through Massport acquiring the 7 acre Robie parcel in an exchange transaction with Mass Highway Dept. The FESPR does not disclose that this acquisition took place and that the previously expected land constraints have been eliminated.

IV.3) Forecast of Hanscom vs. Logan & NE Regional Aviation The FESPR should discuss how the forecast of fleet mix and aircraft operations at Hanscom Field are included and coordinated with forecasting for the Logan ESPR and the development of forecasts for the New England Regional Aviation System Plan Update (Cert., p. 3, Item IV).

- * The FESPR avoids responding to the instructions of the Secretary to coordinate with forecasts for other New England airports. The method used by Massport in the FESPR is to ignore any New England Aviation System study results (FESPR, p. 3-6).

IV.4) Landing Fees & Changes The Certificate asked that FESPR describe existing landing fees at Hanscom and any proposed changes through 2015 (Cert., p. 3-4, Item IV).

- The answers in the FESPR are evasive. Massport states landing fees are to be increased, but increases are not specified. The Secretary's request to describe changes in fees through 2015 is totally ignored (FESPR, p. 3-6).
- The FESPR states that fees were reviewed with HFAC (FESPR, p. 3-6), but in actuality they were just announced to HFAC. The HFAC Commission had no opportunity to review the newly proposed landing fees before the FESPR was published.

V. AIRPORT PLANNING / EXECUTIVE ORDER 385

V.1) Planning Strategies for Operating in a Sensitive Area The Certificate asked that FESPR assess Massport's planning strategies for operating an efficient airport in an environmentally sensitive manner (Cert., p. 4, Item V).

- The FESPR does not clearly and fully recognize that Hanscom and the neighboring towns are an environmentally sensitive area. A "Last Chance" designation by Scenic America was made for the area surrounding Hanscom Field by Scenic America on 24 February 2003, well before the FESPR was issued. FESPR makes no mention of this designation. The environmentally sensitive character of the area was further affirmed in June 2003 by the designation of the Hanscom area as "One of the Ten Most Endangered Areas in the country" by the National Trust for Historic Preservation. Nothing in the FESPR presents the full picture of the environmental damage, which the growing aviation activity and Massport's plans to attract cargo, more jets and more commercial passenger traffic to Hanscom will cause. FESPR states (p. 4-5) "Massport acknowledges the importance of operating Hanscom in an environmentally sensitive manner and the significance of the MMNHP." This is typical of the approach in the FESPR in several places: acknowledging what Massport was asked to do, but not doing what the Secretary had requested.

V.2) Landside Area Initiatives & Projects The FESPR should describe the status of planning initiatives and projects for the Landside area (Cert., p. 4, Item V). FESPR defines Landside area as the area accessible to the public, outside the airport's internal security area.

- Several projects described under the "Landside" (FESPR p. 4-2) seem to refer to projects that are actually on the "Airside." There is a lack of clarity in defining whether the discussed locations are landside or Airside.

- The FESPR mentions that repaving and “reorganizing” the parking lot outside the Civil Air Terminal (CAT), CAT windows replacement, and bathroom redesign at CAT as projects being planned or in progress (FESPR p. 4-2). Other major projects, such as redoing, or replacing Hangars 1 and 24 are mentioned, but not described, although many square feet of new construction are planned in this connection. This is yet another example of “attempting” to comply with the Certificate, but not really providing data on the actual plans and on the related environmental damage and impacts. Nor does Massport provide the rationale or an explanation why such projects should be undertaken at all, given that they will have an impact on an environmentally sensitive area. It seems imperative that the Secretary should request full disclosure.

V.3) Identification of Each Project in 5-Year Improvement Plan The Certificate requires identification and description of each project in Massport’s five-year improvement program. FESPR was to identify which, if any, of these projects would be likely to require individual MEPA review (Cert., p. 4, Item V).

- In one place, the FESPR states that among all the programs in the 5-year capital improvement program, the RSA project for Runway 23 and the airport perimeter road paving may require MEPA review (FESPR, p.1-8 & p. 4-3). Neither project is described in any detail. For example, the length of the perimeter road is not given, and the general layout of the RSA is not shown. Nor does Massport state clearly whether these plans involve federal funds and whether applications for them have been filed. This is one typical example of how the FESPR obscures information and is not forthright. The hangar development programs are not clearly listed or explained. No dimensions (size of the structure and the land involved) of what is intended are given.

V.4) Five-Year Capital Program The Certificate requires the FESPR to describe each project and any new FAA or Massport security policies that would affect environmental impacts relating to physical facilities or airfield operations.

- Vague Promise Massport’s response is to promise that Massport will go through appropriate environmental process for all relevant projects (FESPR, p. 4-3), but no details of the projects are provided.
- Security The FESPR finesses the question about security policies and does not describe any new FAA or Massport security policies that would affect environmental impacts. One example of airfield operations that raises serious security questions is Massport’s effort to initiate regularly scheduled air cargo service at Hanscom (FESPR, p. 6-15 & 6-16). Massport assumes cargo truck traffic would access the airport either through the Air Force Base or a new roadway connection. Surely this raises security and environmental questions. The FESPR provides no information whatever whether cargo packages will be scanned by special cargo screening X-ray machines, or where any buildings housing such machines will be located. Loading and off-loading delays are mentioned (FESPR, p. 6-16), but not the related security practices or policies.

- RSA Project The FESPR alludes to an upcoming Runway Safety Area project that "will also probably involve fence work" (FESPR, p. 4-3). However, the project and its environmental impacts are not described and no map is provided. It is very likely that Massport has already sought approval and funding for this Runway Safety Area project (is it for the Runway 23?), yet the project is kept as a mystery from the Secretary, the local officials and the public. If it is indeed Runway 23, then the end of this runway abuts the Bedford conservation forest land and preservation areas, and keeping things clouded in secrecy is totally inappropriate and contrary to the objectives of the Certificate.
- Access Points The FESPR mentions that some newly planned access points will require security measures (FESPR p. 6-2). Four of them are sketched in as shaded triangles in the FESPR Fig. 6-2, Traffic Study Area. The triangles are located at unidentified points in this figure, so it is impossible to judge where they are. In addition, as in so many other cases, there is absolutely no discussion of environmental impacts, contrary to the Certificate instructions. Any access point from Hartwell Avenue would be expected to go through wetlands, clearly an environmental impact issue. Massport representatives in their verbal presentation called these access connectors "phantom roads;" FESPR should show plans.
- Fencing The FESPR mentions briefly several fencing projects (FESPR, bottom of p. 4-3). Two of them, "Fencing from the Terminal Area to Pine Hill" and "upcoming Runway Safety Area improvement project" are mentioned but not described. Typical approach in this document: mention, but not describe, or review impacts.

V.5) Update of MMNHP, Hanscom AF Base and Contiguous Towns Initiatives

The Certificate (p. 4, Item V) directed Massport that the FESPR should update any new planning and development initiatives by the Minuteman National Historical Park (MMNHP), the Hanscom Air Force Base, and the four contiguous towns.

- MMNHP The FESPR asserts that no new initiatives are planned by MMHNP (FESPR, p. 4-5 & 4-6) other than the Rte. 2A underpass. The FESPR presents no documentation for its assertion that the MMNHP does not have any development plans.
- Hanscom Air Force Base The FESPR (p. 4-6) presents no discussion of the most critical situation at Hanscom Air Force Base. The upcoming 2005 Base Realignment and Closure (BRAC) Process is scheduled to begin in March 2005 when the President will appoint a BRAC Commission asking them to submit recommendations to Congress for the military bases to be closed. The well-known view of the military and the administration is that small military bases are inefficient to operate. Closing of some smaller bases may result in the enlargement of the saved bases that are selected to continue to operate. If the Hanscom Field Airport ground traffic and aviation noise continues to grow in an environmentally uncontrolled pattern (e.g., the 2015 Aggressive Growth Scenario and cargo traffic) so as to accommodate Massport's political and financial agenda, there is a real danger that the Hanscom Air Force Base may become

unattractive as a destination to accommodate to relocate the terminated military bases and, thus Hanscom Air Force Base itself may become vulnerable to closing. Closure of the Air Force Base would be an economic disaster for the state and the entire New England region, because the Base is a major source of jobs both on the Base itself and under contracts from the Air Force Electronic Systems Center located on the Base. Massport should have discussed in the FESPR how they can control and restrain the growth of airport activities and environmental damage such as growing ground traffic in order to protect the Air Force Base from becoming an undesirable location for continued use as a military base.

- Four Contiguous Towns In the FESPR Massport uses for the first time the term "premier full-service GA airport" (FESPR p. 4-7). The introduction of this fancy new term in place of the old "GA airport" is quite ominous. It suggests something bigger than a regular GA airport and something more developed. Nothing like this was considered in the HATS Master Plan, which Massport improperly alleges is consistent with the plans to grow the airport.

The FESPR does not acknowledge the resolutions formally and overwhelmingly passed by the town meetings of all the four towns in 1997 and 2002 urging containment of the growth of the airport. The four towns have been urging Massport to consult their HATS Committee and the HFAC Commission in a more meaningful way, and to listen and respect their recommendations. The FESPR does not discuss any of this.

The towns have asked Massport to work with them on the preparation of a Memorandum of Agreement that would define what could and could not be done at the airport in terms of new facilities development and in terms of promoting additional aviation activity. The FESPR is dead silent on taking steps to negotiate such a Memorandum of Agreement.

Massport asserts that it is not subject to local zoning even for non-aviation uses at Hanscom Field (FESPR p. 4-7). This legal conclusion is not supported in the FESPR by any statutory, regulatory, or case references thus enhancing the impression that it is gratuitous and extremely questionable and should not have been made.

- TDM Massport suggests in the FESPR that instituting Transportation Demand Management measures (TDM) will somehow reduce airport traffic to a point that will make it acceptable to the four towns (FESPR p. 4-8). When questioned at the FESPR Public Review Session in Bedford in June 2003, Massport representatives made it clear that the TDM plans applied only to employees (FESPR, p. 12-7) and not to passengers. Clearly, the bulk of airport traffic is generated not by employees, but precisely by the commercial airline and private aircraft passengers and flight school students. Consequently, Massport's plans for TDM presented in the FESPR are not an answer to making enhanced airport operations consistent with the desires and plans of the local communities.

V.6) Executive Order 385 The Certificate (p. 4, Item V) references Executive Order 385 and requires the FESPR to examine the consistency of Massport's planned actions at Hanscom Field with local planning and MAPC regional policy plan (with special attention to issues raised in MAPC's comments)

- Massport did not attach to, or include in FESPR its latest filing(s) under Executive Order 385. Therefore, Massport's plans for growth of Hanscom Field have not been formally disclosed.
- Local growth management plans for Hanscom Field and Four-town planning strategies have been formalized in the resolutions adopted by the Town Meetings of each of the four towns (see attached Town Meeting Resolution). FESPR, as filed, completely ignored these resolutions and the policy with respect to Hanscom Field formally voted upon by each contiguous town.
- Massport has misapplied the principles of "smart growth" as advocated in the MAPC MetroPlan. Please see the MAPC comments on the FESPR for further details. This failure by Massport shows a lack of communication and participation in regional planning efforts.

V.7) Obscuring Description

Figs. 1-1, 2-1, 7-1, 9-1, 10-1, 10-3, 10-4 instead of showing the runways properly labeled, do not show runway numbers, as if deliberately making the reading of the FESPR difficult.

VI. REGIONAL TRANSPORTATION CONTEXT

The Certificate requires the FESPR to examine Hanscom's future role within the regional transportation system (Cert., p. 4).

VI.1) Long-term Advantages and Disadvantages of Hanscom FESPR was supposed to examine both long-term advantages and disadvantages of Hanscom, particularly as compared to Worcester (Cert., p. 4)).

- The FESPR does not mention that Hanscom is too close to Logan to be considered realistically as a major commercial passenger airport. The FESPR also does not mention, let alone describe, the airspace restrictions over Hanscom because of its close proximity to Logan.
- The FESPR cites poor ground access to Worcester and potential difficulties in upgrading access there, but Massport fails to describe the poor ground access and the even more potential difficulties in upgrading access to Hanscom. It is interesting to note that the City of Boston has provided ample details of these Hanscom ground access deficiencies (FESPR p. A3-23, Item 4).
- The Footnote 1 comment in the Certificate (p. 4) cites the comment letter from the Boston Transportation Department (BTD) urging active steps in increasing demand for

commercial travel at Hanscom (A3-23). The BTD letter appears to have been clearly motivated by the politics surrounding the contested plans for a new runway at Logan.

VI.2) Reduced Viability of Hanscom as GA Airport The Secretary (Cert., pp. 4-5) asked that FESPR examine at what point increased commercial traffic at Hanscom would reduce its viability as the primary GA airport in the region, with potential domino effects on other airfields.

- * Massport responds to the Certificate instruction stating in the first sentence of the relevant section that a "continued viability of Hanscom Field as the premier GA airport is without question." (FESPR p. 5-7). However, a little lower in the same section this bold statement is contradicted by a discussion that touch-and-go operations, for which Hanscom has been a home, will be adversely affected. In addition, there is evidence from comments by private pilots and individual aircraft owners at the HFAC meeting and in private conversations that Massport is displacing them to accommodate larger aircraft such as turbo-props and jets-for-hire. Landing and tie-down fees on smaller aircraft are being increased discouraging traditional GA pilots from using Hanscom.
- * Domino effects on other airports are not discussed at all in the FESPR.

VII. GROUND TRANSPORTATION

[Please note also the attached comments by our Ground Transportation consultants, Mistry Associates Inc.]

VII.1) Traffic on Hanscom Drive The Certificate (p. 5) notes that DESPR estimated the Hanscom-generated traffic on Hanscom Drive to increase to 16% of AM peak hour traffic and 20% of PM peak hour traffic under the 2005 Moderate Growth Scenario (DESPR p. 6-30).

- * The DESPR says also that under the 2015 High Growth the Hanscom-generated traffic on Hanscom Drive will be 16% (sic!) of morning peak hour and 28% of the afternoon peak hour traffic (DESPR p. 6-30). The idea that the AM peak traffic due to Hanscom Field will stay at 16% under both scenarios defies common sense. A simple comparison of the numbers in DESPR Figs. 6-16 and 6-24 contradict the conclusion that the morning peak hour traffic on Hanscom Drive due to Hanscom Field only will remain at the same volume under these two very different scenarios.
- * The FESPR and the DESPR used only Year 2002 as baseline for ground traffic. Massport was required by the Secretary's Scope to use the year 2000 as the baseline year. Massport must have had available and used traffic volume comparisons for 1985, 1989, 1996, and 2002 (DESPR. p. 6-13 & 6-14). Why was year 2000 not used? The presented shape of the 2 peak hour traffic on a particular day in 2002 (DESPR, Fig. 6-3) is used to argue that the peaks of Hanscom traffic occur conveniently at different times than the peak of adjacent street traffic (DESPR, p. 6-6). Unless more data had been presented, this should raise many questions

- * Under the 2005 Moderate Growth Scenario the AM peak hour traffic on Hanscom Drive due to Hanscom Field only is projected by Massport as a traffic volume of 304 (=76+115+50+63) (DESPR Fig. 6-18), or a 68% increase over the 161 number in 2002. This is certainly a large increase creating environmental damage.
- * The FESPR is silent about the disastrous potential impacts of such horrendous traffic growth of the Hanscom Field traffic on the operations of the neighboring Air Force Base, on business establishments in the town of Lincoln, and on the residents of the Lincoln low and moderate income housing units built with mortgage loans provided under a state program.

VII.2) Volume/Capacity Ratios The FESPR was to include volume / capacity ratios in the LOS (Level of Service) traffic tables within the text (Cert., p. 5).

- * Volume/Capacity Ratios for evening peak hours are partially indicated for some intersections in the FESPR (p. 6-9, Table 6-7). However, what is not discussed is that the difference between 2002 and the 2015 High Growth projections will be very dramatic: Hanscom Dr. NB LT from 0.1 to 0.34, Hanscom Dr. SB LT from 0.06 to 0.24, Old Bedford Rd WB TR from 0.25 to 0.62, Old Bedford Rd. EB LT from 0.01 to 0.08. Thus, when the provided data is examined, the High Growth Scenario will present major environmental impacts with respect to vehicular traffic near the airport, but this is not mentioned.

VII.3) Consultation with Local Planning Boards The Certificate asked that Massport report whether it has consulted with the local planning boards regarding the traffic study area before it was finalized for the DESPR (Cert., p. 5).

- * The FESPR reports (FESPR, p. 6-2) that "As part of the traffic scope review process, Massport's transportation planning consultant met with the town planners at Bedford, Concord and Lexington and the Secretary of the Lincoln Planning Board prior to initiating work on the traffic study of the *Draft ESPR*." It appears that there were no meetings during the FESPR process. Meeting during the scope review process is not the same as meeting as part of the ESPR study. Moreover, no dates or names are identified. Meeting with one unnamed person (is the "Secretary" a professional?) is not always the best method of consultation when an important public process might affect the entire community.

VII.4) Show All Access Roadways The FESPR was to show all the access roadways clearly marked (Cert., p. 5).

- The FESPR mentions that some of the newly planned access points will require security measures (FESPR p. 6-2). Four of the access roads are sketched in as shaded triangles in Fig. 6-2, Traffic Study Area. The triangles are located at unidentified points in this figure, so it is impossible to judge where they are. In addition, as in so many other cases,

there is absolutely no discussion of environmental impacts, contrary to the Certificate instructions and objective.

VII.5) Delay Factor All tables showing LOS in the FESPR were to show delay factor (Cert., p. 5).

- * The LOS tables in the FESPR are Tables 6-3, 6-4, 6-5, 6-6, 6-7 and 6-8 (FESPR pp. 6-4 to 6-10). They show the analytically computed delay factors for the years 2005 and 2015. For the year 2002, delay factors are provided only for some of the intersections. The section on Existing Conditions (FESPR, p.6-4) does not explain why some 2002 data is missing. Comparing, for example, the delay for 2002 and 2015 High Growth at Intersection 5) Hanscom Drive/Bedford Road (Lincoln), Old Bedford Rd. EB LT (FESPR Table 6-7), it can be seen that the delay changes from 12.2 to 38.5, a threefold increase. No comment on this is to be found in the discussion of 2015 scenarios (FESPR, p. 6-5). Again, the High Growth Scenario will present major environmental impacts with respect to vehicular traffic near the airport, but this is not mentioned.

VII.6) On-Site Parking The Certificate assumes that the DESPR provided a baseline tabulation of all on-site parking, against which future changes will be measured (Cert., p. 5).

- * The assumption in the Certificate is that DESPR has provided a baseline tabulation of all on-site parking must refer to Table 2-2 (DESPR, p. 2-10). Why this tabulation is considered to be more dependable than the previous tabulations filed by Massport and its professional consultants as part of official reviews (e.g., an ENF filing, the GEIRs, and airport facilities surveys) is totally unclear, but that is an issue the Secretary apparently does not wish to explore. However, apart from it, what is disturbing and questionable about the FESPR is that it contains absolutely no information about future parking facilities needed to accommodate either the moderate or the aggressive growth scenarios. New parking will clearly be needed if Massport prevails and continues to grow the airport. Usually parking is correlated to addition of impervious surface, which has serious environmental impacts. The FESPR does not provide any of this basic information that would normally be required.

VII.7) Transportation Demand Management The Secretary urged "Massport in the strongest possible terms" that Massport develop partnership with the U.S. Air Force and other abutters, to facilitate an effective set of regional TDM measures" (Cert., p. 5).

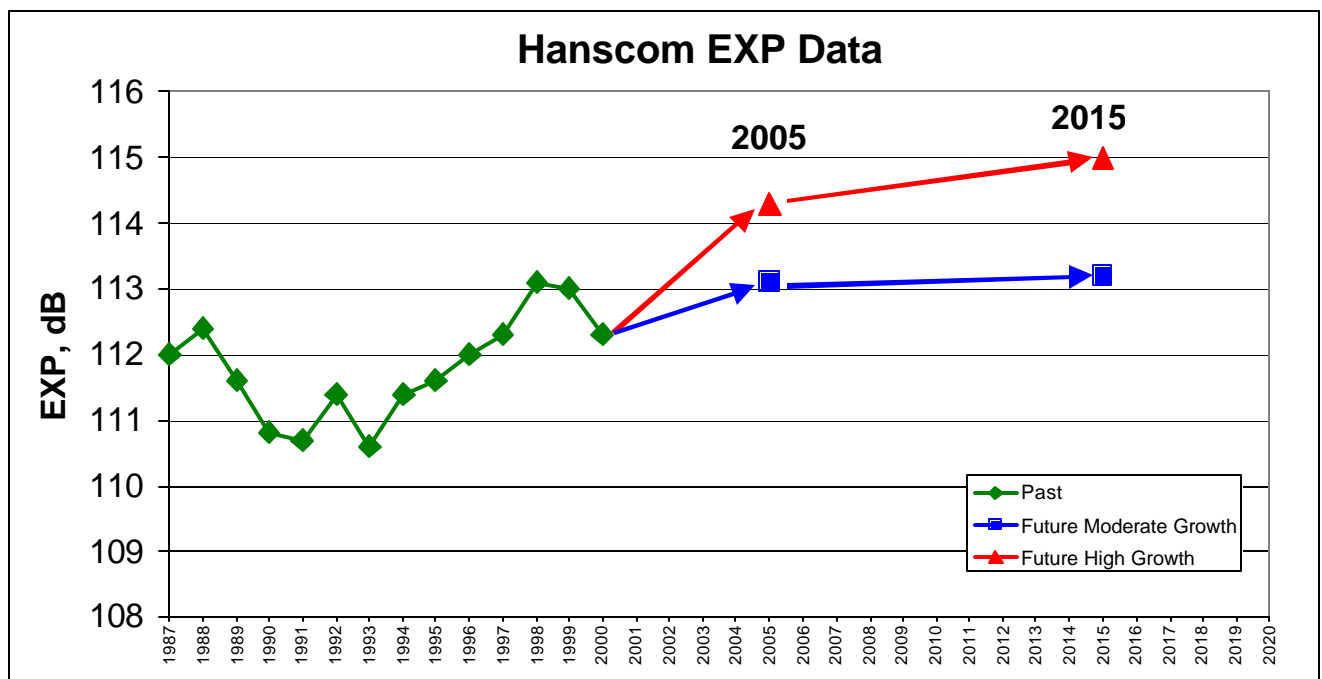
- * The FESPR says that "TDM or potential intersection improvements would be needed" (FESPR, p. 6-5; repeated on p. 6-6), thus Massport responds that TDM is an option that can be replaced by intersection improvements; hardly a commitment to TDM.

VIII. NOISE

SUMMARY: Massport has presented a large amount of noise data in their Draft & Final Environmental Status and Planning Report (ESPR). However, the data is segmented between the draft and final reports. Massport and their consultants have not effectively analyzed the

data for any trends or additional knowledge the data may contain. The two graphs below are examples. For all the comments made by the community and MEPA itself, Massport has provided little additional information beyond short paragraphs explaining away the comment itself. Lastly Massport has falsely contended that the ESPR is in accordance with the Hanscom Noise Workgroup (NWG) Report.

- * MEPA requested Massport report past trends and future noise projections using numerous noise metrics. Massport has provided very limited noise data to compare past, present and future noise conditions.
 - EXP data was provided in Table 7-1 of the FESPR, but the data is only for the years 1987 to 2000. EXP for the forecasted years was only provided in the Draft ESPR in Tables 7-20 through 7-23. However, Massport has not compared the two sets of data as shown below in a simple graph. It shows that both the moderate and high growth conditions will have significant increases in EXP levels.
 - The FESPR presented comparison of TA65 at only three sites and only for 1995 and 2000.
 - A comparison of SEL in Figure 7-2 shows significant increases in six out of eight noise level groupings. Massport's only comment was that noise levels in the highest level grouping (105-110) has decreased, while the only other grouping to decrease was 85-90 dB.



1. MEPA requested Massport to specifically address recommendations from the Noise Workgroup (NWG). In response to this comment, Massport only prepared Table 7-3 of the FESPR. Under the review of the HATS Environmental Sub-committee, Reinier Beeuwkes and Michael Bahtiarian presented an assessment of the recommendations of the NWG. Copies of the presentation were provided to MEPA as part of the HATS Environmental

Subcommittee report. The overall assessment was that Massport adequately covered only 3 out of 14 metrics recommendations. We offer further comments from a review of Table 7-3:

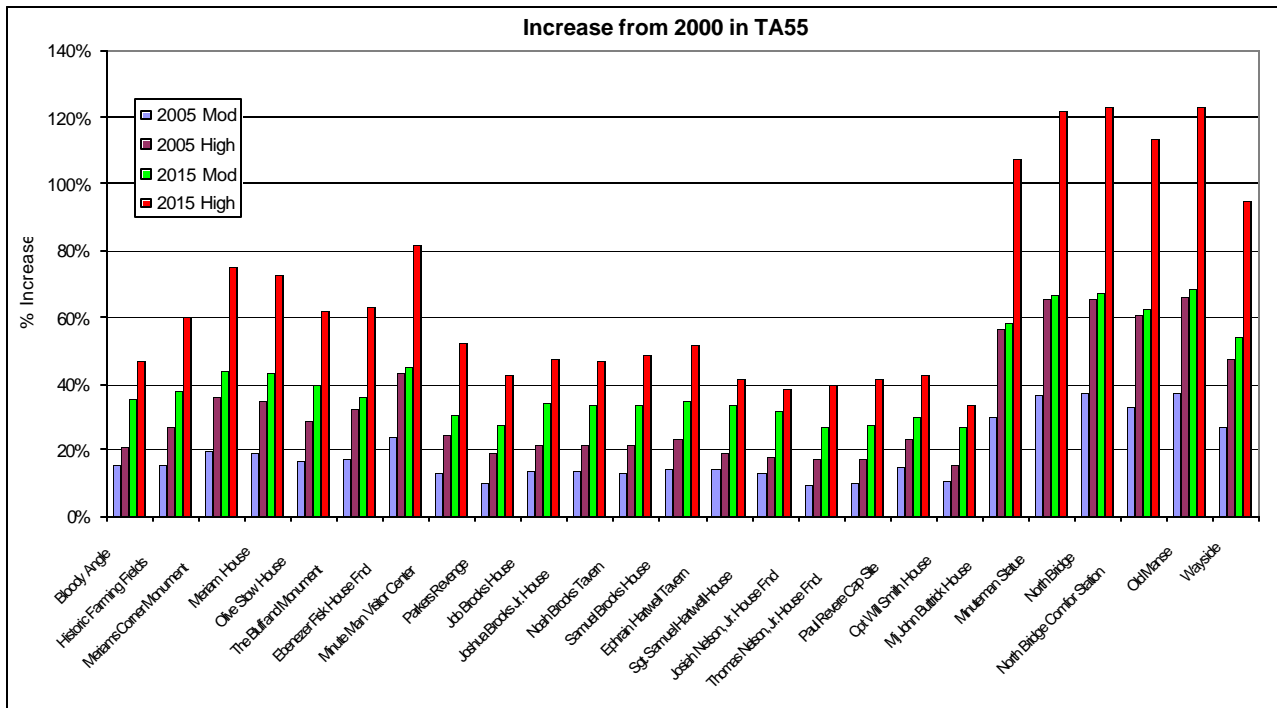
- Massport states under the status of recommendation M1 that, "The Noise Workgroup contributed substantially to the development of the current scope of work that led to this document. Massport will continue to work with the NWG on future ESPRs." In fact, the NWG has not met or actively operated as a group since the presentation of its report to MEPA in April 2000. So it is not clear what Massport is referring to when it states that NWG substantially contributed to the scope.
 - As stated in the previously mentioned presentation, for Time Above contours were prepared in the noted figures for recommendations M2 but the ESPR does not present or discuss location or growth of contours.
 - Under recommendation M5, Massport presented discussion of EPA's DNL 55 dB(A) threshold level only to disparage it. The ESPR still relied on the FAA level of DNL 65 dB(A).
 - For recommendation M6, Massport has dispersed data throughout the ESPR and not included the Loud Event Count. The purpose of the community summary metrics was to provide simple number to be reported MONTHLY. The form and location of the data does not satisfy the NWG report as stated in the detailed description of the report.
 - With all discussion presented in the draft & final ESPR on M10, Massport has yet to quantify changes in the Integrated Noise Model (INM) in terms of dB change from year-to-year or version-to-version.
 - Under recommendation M9, DESPR provided max, min and average levels from monitoring sites. The NWG intent was for variation from predicted noise levels not measured. Again, Massport has not satisfied the NWG recommendation as given in the report.
2. Massport has refused to use the Lmax 90 dBA (Lmax) in the FESPR. First, Massport states that Lmax was never mentioned by the NWG, but it is unclear why this even matters. In fact, the Lmax concept was suggested by Dr. Sanford Fidell a renowned expert in psychoacoustics (study of how humans are affected by sound). Dr. Fidell pointed out in his presentation that the Lmax data correlates very well with complaint data. Massport has in no way addressed this point.
3. Massport's discussion of "Noise Sensitive Locations" includes damaging data that has not been properly addressed. First, it is unclear why two out of the four paragraphs on this topic even discuss DNL data. This is not appropriate noise metric for the evaluation of a park setting which is purposely used for quiet & respite during the daytime only. The DNL averages all sounds during the entire 24 hour day and is more applicable to residential areas.

Massport did provide Time Above data for both 65 and 55 dB(A). Under the DNL paragraphs, Massport states that very little of the MMNHP and none of the Battle Road are within the 65 dB DNL. If so, why is data for TA65 dB even provided, Table 7-6. A quick review shows very short duration's for Time Above 65 dB(A) and very little increases. A likely case given fact that these areas are outside the 65 DNL contour.

Surprisingly, the data for the Time Above 55 dB is given in Table 7-7. Massport has short paragraph on page 7-11 which simply states that aircraft is noticeable when sound levels are at or above the ambient sound level and that the times in Table 7-7 are periods when aircraft will be noticeable. This is severe understatement. The data in Table 7-7 is graphed below in the form of percent increase from the 2000 base year. It shows that the 2005 moderate growth will generate 15% to 37% increase in TA55 duration's. For the 2015 high

growth, increase in TA55 will be from 40% to 120%! Five sites at the North Bridge will have at least a doubling (100%) increase in Time Above 55 dB. The longest duration of Time above 55 dB is the Historic Farming Fields at 120 minutes. This could result in aircraft interruption every two minutes if the fly-over duration's were 20 seconds each.

The last note to make on this issue, is that the Time Above computation was not performed at the ambient noise levels which is between 40 to 50 dB(A). So, the actual Time Above situation could be significantly worse.



4. Massport provides a lengthy discussion of Run-up procedures but provides no data with regard to noise levels generated by Run-ups, GPUs or APUs.
5. Massport emphasizes the Fly-Friendly program, but this is nothing more than simple pilot awareness program where a posters and videos were distributed. Massport has not quantified the affects of the program. It is also mostly tailored to private pilots who are generating the least significant noise events.
6. Lastly, Items requested by MEPA in the 12/16/2002 Certificate (p. 7) which were not provided in the FESPR:
 - Reporting Past Trends since 1987 in DNL, Time Above & SEL/D.
 - Individual aircraft identification of noise impacts and monitoring of compliance with Fly-Friendly program.
 - Reporting of past trends in INM and adjustments for such changes.
 - Analysis and review of take-off roll.
 - Efforts proposed to reduce noise from run-ups, GPUs and APUs.
 - Plan for ground monitoring at "hot spots."
 - Plan or commitment to restrict engine run-ups.

- Plan for noise mitigation at the Wheeler-Merriam House in Concord or other noise sensitive sites.

IX. AIR

QUALITY

IX.1) DEP's Suggestions for Mitigation

The Department of Environmental Protection submitted comments on the DESPR by a letter from Christine Kirby of November 26, 2002. The Certificate instructed Massport to respond to the DEP letter (Cert. p. 7 & 8)

According to this letter, DEP believes that Massport should utilize its Environmental Management System (EMS), and emission mitigation measures similar to those widely implemented used at Logan and at other airports. The DEP suggested:

- Airside operational improvements – Massport's response is that they will review the possibility of implementing a runway improvement measure (FESPR p. 82). NO FIRM COMMITMENT AND NO PLAN.
- Ground service and landside conversions to alternate fuels – Massport's response is that they "will consider alternative Fueled Vehicles (AFVs) for new vehicle purchases in the future." As to tenants, "Massport will encourage the tenants to consider alternatively fuelled GSE¹, where appropriate, when making new purchases of new equipment" (FESPR p. 8-3). 36 of the 106 GSE and fleet vehicles at Hanscom use Diesel fuel (FESPR Table 81). Regularly scheduled cargo activities planned to be initiated at Hanscom will bring more trucks. Their air pollution impacts are not even mentioned in the FESPR. Massport presents NO FIRM COMMITMENT AND NO PLAN.
- Emission reduction credit purchases - Massport does not state clearly whether they have instituted emission reduction credits at Logan, but we believe they do. They say in the FESPR (p. 8-3) that they do not need to consider emission reduction credits, because they do not operate a central power plant at Hanscom. In the FESPR Massport totally ignores mitigation of aircraft emissions, although the tables in the DEP letter show clearly that NOx aircraft emissions, which were 14.3 kg/yr. (in 1.000s), are slated to increase to 71.9 kg/yr. in the high 2015 scenario - Massport's response totally disregards DEP's recommendations.
- Other aviation support emission reductions - Massport admits that Massachusetts law (MGL CH. 90 Sect 16A) prohibits idling of vehicles more than 15 minutes (FESPR p. 8-3), but provides no information whether they have been enforcing the law at Hanscom Field, and how many cases were cited for violation in the last five years. This should lead the Secretary to infer that Massport is not enforcing the law and will not to do so in the future, unless clearly instructed.

IX.2) Clean Fuel Vehicle Program Pledge

The DEP letter pointed out that in Massport's response to the 1997 Draft Section 61 Findings Massport pledged to report on the progress made they made the clean fuels program as well as strategies for reducing aviation support emissions.

- Undocumented Response In responding to a comment by HATS (HATS.50, p. A3-44), Massport states that relevant information was presented at the October 9, 2002 "Public Workshop in Bedford" (HATS.50 p. A2-62) - Reference to a non-documented event does not

¹ GSE – Ground Service Equipment

constitute properly filed acceptable response data. Again an example of avoidance to provide concrete information in response to the Secretary's Certificate.

- Nighttime Self-Propulsion One of the comments submitted in connection with the DESPR review (FESPR, BUSJU.9, p. A3-200) proposed that, as one mitigation measure to reduce unnecessary emissions and noise from aircraft at night, Massport prohibit nighttime self-propulsion at Hanscom, the same rule as at Logan (740 CMR 24.06).

Massport's response (FESPR p. A2-31 & 32) to the BUSJU.9 comment is to totally ignore the clear suggestion that nighttime self-propulsion at Hanscom be prohibited just as it is at Logan.

IX.3) Motor Vehicle Pollution Several commenters on the DESPR requested data on particulate deposition in the residential areas surrounding the airport.

- * Massport's response refers to the old 1995 GEIR (FESPR p. 2-63) and blames motor vehicle traffic on Rte. 195 and Rte. 2 as source of airborne particulate matter. Yet, although Massport identifies vehicular traffic as a major air polluter, Massport itself fails to provide data on particulate deposition from motor vehicle traffic to and from the airport, including the cargo truck traffic proposed in the new scenarios. This is a highly inconsistent approach to environmental impact depiction. Table 8-11 in the DESPR (p. 8-18) shows that CO, NOx, VOC and PM10 emissions from vehicular traffic will double under the 2015 High Growth Scenario as compared to 2000.

IX.4) Recent Studies Ignored A recent study of air toxins conducted at Teterboro Airport in New Jersey found fuel related compounds of benzene, toluene, ethylbenzene, xylene, 1-3-butadiene, and trimethylbenzene. Of these, benzene and 1,3-butadiene are contaminants which drive the risks of cancer. Non-carcinogenic risks are associated with benzene and toluene.

- * The FESPR does not mention the Teterboro study and does not actually fully evaluate the projected air pollutant situation at Hanscom when the aggressive scenarios will be rolled out.

X WETLAND/WILDLIFE/WATER RESOURCES

X.1) NPDES Permit & Tenants The Certificate asked that the FESPR identify whether Massport's NPDES (National Pollution Discharge Elimination System) permit includes tenants (Cert. p. 8).

- * The FESPR responds (FESPR p. 9-2) that the permit covers the six tenants listed in Table 9-4, p. 9-12 of the DESPR. Copies of the permit application forms by Massport and its tenants were contained in the Appendix F of the DESPR, but the permit itself and its terms and conditions are not disclosed. The Appendix F provides also a copy of the EPA Form 3510-6 for MIT Lincoln and Mercury. Lincoln Laboratory apparently no longer operates at Hanscom, because they are not listed in Table 9-4 of the DESPR, and Mercury has been replaced by a Fixed Base Operator called Signature. Signature's Permit Form is not shown.

X.2) Groundwater and Surface Water Monitoring The Certificate asked (Cert. p. 8) that FESPR report the results of Massport's groundwater and surface water monitoring program and that the proponent work with the adjoining communities to strengthen its monitoring

program. Are contaminants being introduced into groundwater and surface water by Hanscom operations?

- * The FESPR reports that six rounds of surface water tests were made over four-year period in three locations (FESPR p. 9-2), and that "in general" the observed water quality parameters were within appropriate benchmark values. This is an interpretation of results; however, the actual results are not presented, although the Certificate required them. What does "in general" mean? Elm Brook (MPH-ELM) sampling results in Appendix F of the DESPR indicate that the most recent 08/31/001 Total Suspended Solids measured 200.0 mg/l, double the 100.0 mg/l benchmark value. Nitrates appear also to have been measured at higher levels than the benchmarks. The DESPR vaguely acknowledged the problem (DESPR p. 9-15), but the FESPR does not provide a remedy plan or a commitment to further measurements. No Quarterly Visual Inspection Reports were provided in the DESPR or FESPR.
- * The DEP-Northern Regional Office in their 14 November 2002 comments (FESPR pp. 3-10 & 3-11) made it very clear that the water in Elm Brook and portions of the Shawsheen River do not meet state water quality standards (FESPR p. A3-11). In 2002 they were both included on the "Proposed DEP list of Category 5 Impaired Waters." The DEP comment letter affirms that water quality sampling is highly recommended for impaired water bodies. A Quality Assurance Project Plan (QAPP) and its implementation are the proper way to approach the situation. However, Massport instead of committing to a firm program states that "no further water quality sampling is planned" (FESPR DEPNO.3, p. A2-67).
- * Hanscom operations introduce contaminants in groundwater and surface water, but groundwater monitoring is only conducted in association with MCP site cleanup activities (FESPR top of p. 93) and not to check contamination from the current operations. Moreover, future operations will include even more contaminants because the activity scenarios show significant increases in aviation activity and traffic and in addition chemical deicing is planned.

Massport did not comply with the Certificate with respect to water contamination monitoring.

X.3) Storm Water Prevention Plan Massport asserts in the FESPR that it has a Storm Water Prevention Plan (SWPP) as required under NPDES.

- * The text of the SWPP plan is summarized in the DESPR, p. 9-12, but not included. Monitoring data referenced in the DESPR, p. 9-12 are not current but go back to 1991 and 1992.
- * Neither the DESPR nor the FESPR present the actual storm water pollution prevention plan required by an EPA NPDES Permit, which must have been filed by Massport and each permitted tenant within two days after a complete NOI was mailed.
- * At the MEPA Hearing on the FESPR chaired by Director James Hunt of the MEPA Office, one of the attendees asked a number of specific questions about wetlands and wildlife. Massport representatives responded that they would respond in writing. We asked for a copy of the response, but have not received any. It is difficult to evaluate environmental issues when Massport provides no answers to the public.

X.4) Water Resources Map The Certificate asked the proponent to consult with the conservation commissions regarding the inclusion of a comprehensive wetlands resources map in the FESPR, and the identification of all local water supply resources (Cert. p. 8).

* The map is presented in the FESPR (Fig. 9-2) with water supply locations as white marks that are hardly visible on the map. The Cambridge Reservoir is not shown. The FESPR does not indicate whether Massport consulted with the Conservation Commissions in the four towns, with whom and when. No reports of any such a consultation are provided. **X.5) Hartwell Forest** The Secretary asked Massport to report on current planning with respect to Hartwell Forest and the work planned to expand the runway safety area, current status of airport planning for this area, including a discussion of FAA standards, waiver possibilities, and the magnitude of environmental impacts associated with any planned safety work (Cert. p. 8).

- * The FESPR (p. 9-7) states Hartwell Forest is off airport property, as presumably an excuse not to discuss airport planning with respect to tree clearing in that area. The Vegetation Management Plan is obliquely referenced, but the Secretary's questions are not really answered directly. The FESPR ignores the Secretary's request to discuss FAA standards and report on current status of planning, i.e., have plans been drawn, has FAA been consulted, have applications to fund the project been made.
- * Also ignored is the request that Massport discuss the runway safety area project and its environmental impacts.

X.6) Spill Prevention The Certificate requested (p. 8) that Massport discuss the spill prevention program and aircraft fuel use at Hanscom.

- * The FESPR responds (p. 9-7) that Massport regularly updates its Spill Prevention Control and Countermeasure Plan (SPCC) for Hanscom Field. A cursory statement of this nature hardly describes the record of spillage, what spillages have occurred, and what checking and prevention steps are being taken.
- * Fuel use at Hanscom increased from 7,100,000 gallons of jet fuel in 2000 to 8,200,000 in 2002 (FESPR p. 9-8), a 15% increase in two years. The FESPR provides no hint what fuel usage Massport expects when it's most ambitious Aggressive Growth Scenario for 2015 takes place.

X.7) Deicing The Certificate requires the FESPR to discuss any current or proposed use of de-icing chemicals by the proponent's tenants, and requests estimates of impacts. Since Massport announced that they are planning to initiate a major runway chemical deicing and icing prevention program themselves, then both theirs and the tenants' program required discussion. The FESPR was to produce estimation of impacts of chemicals based on storm water quality monitoring program, with identified mitigation steps to prevent impacts, such as pre-treatment before discharging to the storm water system.

- * The FESPR mentions briefly that the use of current aircraft deicing compounds does result in discharge to Shawsheen River and to Elm Brook, but give no concrete pollution data and estimated impacts. Sampling results provided in Appendix F of DESPR (the last few unnumbered pages) fail to provide any indication whether any of the data were taken after de-icing chemicals were applied. The comment letter from the DEP-Northeast Regional Office (FESPR p. A3-11) cautions that data provided by Massport of their water quality sampling is not to be trusted because no quality assurance project plan (QAPP) was provided. Massport does not respond directly to this comment (FESPR DENPRO.3, p. A2-67).
- * DEP notes also (FESPR p. A3-11) that "bacteria count in several samples was high."
- * The proposed de-icing program is briefly discussed (FESPR pp. 9-8 & 9-9), but no actual estimates of the expected impacts are given, nor are measurements or predicted

impacts presented. Mitigation measures are not discussed. The "handwaving" approach, "we do all that we should be doing" (FESPR pp. 9-8, 12-2) hardly meets proper standards for a MEPA process, particularly in light of the explicit instructions by the Secretary, the DEP comments, and numerous public comments.

- * The separate Massport's Hanscom Field Deicing Study dated April 15, 2003 contains major flaws in assumptions used to estimate fluid levels and toxicity. As a result, Massport has instructed its consultant to revise the data. Our analysis of the published Study show that amounts of fluids used will exceed the current Permit threshold limits.

X.8) Impervious Surface The DEP-Northeast Regional Office comments (FESPR p. A3-11) point out that "impervious surfaces are the sources of more runoff and pollutants than any other land use," and that "the planning concept projects for Hanscom will add paved roadways, parking areas, and rooftops to the existing development at the airfield." DEP asked for the evaluation of impervious impacts and mitigation measures.

- * Massport ignored the DEP-NER comments, did not respond to them, and gave only a perfunctory response (FESPR pp. A-2-69 & A2-73) that Best Management Practices will be employed on "a project-by-project basis as projects are proposed." The irony is that projects have already been proposed, and that the whole purpose of the ESRP is to provide a comprehensive evaluation of what may happen in the next five years.

XI CULTURAL AND HISTORIC RESOURCES

XI.1) Historic Sites The Certificate stated that FESPR should attempt to balance the needs of a GA facility and the preservation of historic sites (Cert. p. 8).

- * Massport makes no attempt to examine a balance. Instead, Massport seems to report its task as being one of a detached observer applying, for instances, an FAA noise level, without taking any responsibility as to its relevance in this context, or to any concern as to the "Balance" issue raised in the Certificate. This failure to take its responsibility seriously invalidates the whole chapter discussion.

XI.2) The National Park The FESPR should identify and describe the National Park Service's soundscape goals and plans for the Minute Man National Historic Park (Cert. p. 8)

- * The four communities support the objectives and plans of the MMHNP and each of four town meetings have passed a resolution in favor of controlling the growth of Hanscom Airport. We expect the National Park Service to submit its own statement regarding the environmental damage implied in Massport's scenarios. With respect to soundscape, we want to draw the Secretary's attention, however, to the fact that several national parks have reached agreement with the FAA about controlling flights. We believe that a state authority, such as Massport, should also defer to the national significance of the park and the area and itself suggest measures to control the growth of Hanscom.

XII SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT SYSTEM (EMS)

The Certificate stated that FESPR need more specifics on EMS (Cert. p. 9).

- * The specifics called for in the Certificate are not covered in the relevant chapter of the FESPR (Chapter .XI). Massport's view of sustainability is not backed up with specific commitments or description of specific results of its EMS program. Audits are mentioned (FESPR, p. 11-5), but no audit results are presented. MAPC's has made a comment that Massport misapplied the sustainability principles of MetroPlan. This raises serious doubts that Massport can apply them in other contexts.

XIII MITIGATION

The Certificate stated that FESPR should have a separate chapter summarizing mitigation actions described in the previous chapters. "The DESPR did not provide enough mitigation measures to adequately address impacts (Cert. p. 9 bottom).

XIII.1) Enumeration of Specifics The Secretary asked for "identification of the parties responsible, a schedule for implementation, and the estimated cost" (Cert. p. 9 bottom).

- * The FESPR does have a separate chapter on mitigation (FESPR p. 12-1). However, most of that chapter is devoted to the repetition of what was said in the DESPR, which the Secretary found inadequate. The FESPR actually provides less commitment to mitigation when Massport's original recommendation of roadway capacity increases in the national park and elsewhere were removed from the ESRP. Responsible parties are not identified, schedule of implementation is not provided, and estimated cost is not discussed.

XIII.2) TDM The Secretary requested summarize the actions described in the previous chapters, such as TDM, noise abatement and sustainability measures

- * At a Massport briefing prior to the MEPA review, Massport representatives stated that TDM would apply only to airport employees. The number of Hanscom Airport employees is small relative to the 659,872 passengers (FSPR, p. 3-5, Table 3-3), estimated at 2,100 passengers per day. In addition, business jets, turboprops and private aircraft also generate vehicular traffic. The DESPR indicates (Vol. III, Appendix H, Backup Analysis Data, pages unnumbered, Part 2-Hanscom, Exhibit 2-1) that Massport and its tenants (without East Coast Aero Tech have 311 employees. With this approach TDM will have little, if any, success in reducing the volume of future ground traffic at Hanscom Field

XIII.3) Noise Abatement The Secretary asked for a discussion of Noise Abatement.

- * The simplest measure for noise abatement on landing is to have a touchdown point closer to the center of the airport and not a long low approach the full length of the runway. By cutting trees at the end of the runway and expanding the RSA, Massport is encouraging a more noisy approach, contrary to the notion of noise abatement. The simplest measure for noise abatement on take-off is a steep ascent so that noise does not propagate as far into the MMHNP and the residential areas as it would on a very gradual ascent. Because Hanscom is so close to Logan, the FAA has imposed general ceiling limitations on aircraft taking off at Hanscom that can be waived only by the Logan Tower. This limits noise abatement on take-off that can be introduced at Hanscom. Contrary to the Certificate, the FESPR presents no meaningful discussion of noise abatement. We should note that it is not clear from the discussion of noise modeling that the trajectories reflect the ceiling limitations at Hanscom.

XIII.4) Airside Operational Improvements An air pollution mitigation initiative to reduce emissions is suggested in the FESPR that requires Airside Operational Improvements (FESPR p. 12-8). The idea is to manage aircraft takeoffs more efficiently on the taxiways. Massport will review, but does not commit to implement this measure (FESPR p. 12-8 bottom)

XIII.5) Emission Reductions with APUs and GPUs Auxiliary Power Units (APUs) and Ground Power Units (GPUs) generate fewer emissions than aircraft engines. Massport states that it does not own or control these small power units (FESPR p. 12-8 bottom), but Massport controls the leases to Jet Aviation and Signature, apparently the main culprits. Massport could write conditions into the leases to enforce mitigation, but Massport does not discuss that.

XIII.6) Engine Run-up Noise Massport asserts in the FESPR that it has a well-defined aircraft engine maintenance run-up procedure (FESPR p. 12-9). When asked to produce a written copy of the procedure by the Environmental Subcommittee of HATS at one of the meetings, Massport representatives responded that no written procedure exists.

When asked about the log recording grants of permission in accordance with the regulation that permission for nighttime engine run-up has to be given by the Massport Director (or his representative), Massport representatives responded that such a log does not exist.

The state regulation 310 CMR 7.11 on engine run-up (other than take-off, exempted by federal law) is clear that run-up cannot last too long. Unless there is a log on what actually happened, enforcement is impossible.

Massport should commit to preparing a written procedure, to having forms requesting permission, to maintaining a log, and to enforcing the rules in the written regulation. Otherwise, mitigation of engine run-up noise will be impossible.

XIII.7) Landing and Take-off Fees A great tool for mitigation of air pollution and noise are high landing fees on aircraft that generate air pollution and noise. A great tool for ground traffic mitigation is high take-off and landing fees for aircraft that carry many passengers.

XIII.8) Nighttime Noise A hotel facility at the airport would encourage nighttime arrivals, for example, private jets from Europe. An excellent mitigation measure for nighttime noise is to delete plans for building a hotel at the airport, so as to make nighttime arrivals less attractive.

XIII.9) Parking Fees The absence of parking fees is an attraction for passengers and encourages vehicular traffic to the airport. A mitigation measure that could be introduced as soon as possible would be to introduce paid parking.

- * The Massport indicates that it will install infrastructure for a revenue collection system (FESPR p. 4-3), but makes no commitment as to when the system will be put in operation and what will be the fees. Moreover, the FESPR gives no indication whether Massport will ask its lease holders, e.g., the Fixed Base Operators and the East Coast Aero Tech flight school to do likewise in their parking lots.

XIV. MEPA DOCUMENTATION

The Certificate stated that, "A cornerstone of MEPA review is making good information on environmental impacts readily available to the public." Massport was required to notify all commentators at least one month prior to the submission of the FESPR, and Massport was required to be sensitive to the concerns of the abutting towns in determining the timing and length of the review process on the ESPR. (Cert. p. 10).

- * Inadequate and inappropriate notice was given as part of the public review. Commenters were not notified one month prior to the submission of the FESPR, and as a result were not prepared to plan time for FESPR review.
- * The two Massport briefings were scheduled before the FESPR was in the hands of the commenters or readily available to the public. This has caused a degradation of quality of public input because even the MEPA Hearing was scheduled to occur before commenters had time to review this difficult and user-unfriendly document. Many potential commenters have expressed a resignation that the process was not sincere, and have refused to participate in formal comment.
- * The timing imposed by Massport on the review period ignored the well understood agreement by all parties beforehand that the FESPR review period and MEPA Hearing would not take place during the time period when public schools were out of session. There has been no compelling reason to have caused Massport to violate this understanding. The MEPA Hearing was held during this period and the bulk of the review period has occurred during this period.
- * Comments included in the FESPR are in tiny print, difficult to read. Answers to comments are extremely difficult to locate as they require search on two separate indexes. Some very pertinent comments are ignored and not answered.

It is this Committee's view that the totality of the ESPR documents does not represent "good information on environmental impacts" (Cert. p.10) and that the combined process has discouraged public participation as if by the proponent's design. The process, the form, and the content of the FESPR almost suggests an attempt to provide as little usable information as possible, and, yet, hopefully gain a seal of approval by MEPA in its Certificate for having complied in saying at least anything in every required area.

It is also this Committee's view that the totality of the several document that now comprise the ESPR is neither readily available nor understandable. For a Committee that has spent probably more hours trying to make sense of these documents than most reviewers, we are at loss to have any confidence in knowing whether most of what is in the Draft is applicable or superseded by something in the FESPR or in a side response somewhere buried in a comment response.

REFERENCES

[Ref. 1] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.01: General Provisions**

"(a) General. 301 CMR 11.00 et seq. is promulgated to create a uniform system for compliance with the Massachusetts Environmental Policy Act, M.G.L. c. 30, sections 61 through 62H, inclusive (MEPA). The purpose of MEPA and 301 CMR 11.00 is to provide meaningful opportunities for public review of the potential environmental impacts of Projects for which Agency Action is required, and to assist each Agency in using (in addition to applying any other applicable statutory and regulatory standards and requirements) all feasible means to avoid Damage to the Environment or, to the extent Damage to the Environment cannot be avoided, to minimize and mitigate Damage to the Environment to the maximum extent practicable."

[Ref. 2] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.08: EIR Review and Decision**

"(c) Final EIR. Upon review of a final EIR, the Secretary shall:

1. determine that a final EIR is adequate, even if certain aspects of the Project or issues require additional analysis of technical details, provided that the Secretary finds that the aspects and issues have been clearly described and their nature and general elements analyzed in the EIR or during MEPA review, that the aspects and issues can be fully analyzed prior to any Agency issuing its Section 61 Findings, and that there will be meaningful opportunities for public review of the additional analysis prior to any Agency taking Agency Action on the Project; or
2. determine that the final EIR is inadequate and require the Proponent to file a supplemental final EIR in accordance with 301 CMR 11.07."

[Ref. 3] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.09: Special Review Procedures**

"(6) **Individual Agency Actions.** The Secretary shall state in the certificate on the final Special Review Procedure review document whether and to what extent an individual Agency Action taken in accordance with or as part of the Project subject to the Special Review Procedure shall require further MEPA review. The Secretary may find that an individual Agency Action does not require an ENF if it is subject to specified conditions or restrictions, that an ENF is required but may deal with some issues by reference to the Special Review Procedure, or that an ENF is required but that an EIR is presumed not to be required except under circumstances identified during review of the ENF."

[Ref. 4] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.12: Agency Responsibilities and Section 61 Findings.**

"(5) **Section 61 Findings.** The determinations and findings that an Agency shall make in accordance with M.G.L. c. 30, section 61 and 301 CMR 11.12(5) prior to or when taking Agency Action on a Project for which the Secretary required an EIR."

[Ref. 5] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.09: Special Review Procedures;**

(3) Citizens Advisory Committee. When establishing or modifying a Special Review Procedure, the Secretary shall ordinarily (in the case of a Project undertaken by an Agency) or may (in the case of a Project undertaken by a Person) establish a CAC to assist in reviewing the Project.

[Ref. 6] 301 CMR 7.11: U Transportation Media; **(3) Aircraft.** No person owning or operating an airport shall cause, suffer, allow, or permit routine warm-ups, testing, or other operation of aircraft while on the ground, in such a manner as to cause or contribute to a condition of air pollution, outside of the property lines of the airport, that in the opinion of the Department are unreasonable and feasibly preventable.

[Ref. 7] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.02: Definitions; (2) Defined Terms.** As used in 301 CMR 11.00, the following terms shall have the following meanings:

"Land Transfer.

(a) The execution and delivery by an Agency of any deed, lease, license or other document that transfers real property or an interest in real property.

(b) For purposes of review thresholds, Land Transfer shall not be considered to include the execution and delivery of a deed, lease or license to continue a preexisting lawful use on a Project site, or amendments or extensions thereof."

[Ref. 8] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.03: Review Thresholds**

"The review thresholds identify categories of Projects or aspects thereof of a nature, size or location that are likely, directly or indirectly, to cause Damage to the Environment. Except when the Secretary requires fail-safe review, the review thresholds determine whether MEPA review is required. MEPA review is required when one or more review thresholds are met or exceeded and the subject matter of at least one review threshold is within MEPA jurisdiction. A review threshold that is met or exceeded specifies whether MEPA review shall consist of an ENF and a mandatory EIR or of an ENF and other MEPA review if the Secretary so requires. The subject matter of a review threshold is within MEPA jurisdiction when there is full-scope jurisdiction (i.e., the Project is undertaken by an Agency or involves Financial Assistance) or when the subject matter of the review threshold is conceptually or physically related to the subject matter of one or more required Permits (provided that the review thresholds for Land and Areas of Critical Environmental Concern shall be considered to be related to the subject matter of any required Permit) or the area subject to a Land Transfer. The review thresholds do not apply to: a lawfully existing structure, facility or activity; Routine Maintenance; a Replacement Project; or a Project that is consistent with a Special Review Procedure review document, or other plan or document that has been prepared with the express purpose of assessing the potential environmental impacts from future Projects, has been reviewed as such in accordance with MEPA and 301 CMR 11.00, and has been allowed or approved by any Participating Agency, unless the filing of an ENF and an EIR was required by a decision of the Secretary on any such review document, plan or document."

[Ref. 9] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.01: General Provisions (2) Applicability. (c) Segmentation.** In determining whether a Project is subject to MEPA jurisdiction or meets or exceeds any review thresholds, and during MEPA review, the Proponent, any Participating Agency, and the Secretary shall consider the entirety of the Project, including any likely future Expansion, and not separate phases or segments thereof. The Proponent may not phase or segment a Project to evade, defer or curtail MEPA review. The Proponent, any Participating Agency, and the Secretary shall consider all circumstances as to whether various work or activities constitute one Project, including but not limited to: whether the work or activities, taken together, comprise a common plan or independent undertakings, regardless of whether there is more than one Proponent; any time interval between the work or activities; and whether the environmental impacts caused by the work or activities are separable or cumulative.

[Ref. 10] 301 CMR 11.00: MEPA REGULATIONS; **Section 11.12: Agency Responsibilities and Section 61 Findings**

(5) Section 61 Findings. In accordance with M.G.L. c. 30, section 61, any Agency that takes Agency Action on a Project for which the Secretary required an EIR shall determine whether the Project is likely, directly or indirectly, to cause any Damage to the Environment and make a finding describing the Damage to the Environment and confirming that all feasible measures have been taken to avoid or minimize the Damage to the Environment.

[Ref. 11] Court Case 366 Mass. 755 **Secretary of Environmental Affairs v. Massachusetts Port Authority**, Suffolk. December 6, 1974 – February 5, 1975.