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

PROJECT NAME	: Proposed Category 1 Gaming Establishment
PROJECT MUNICIPALITY	: Brockton
PROJECT WATERSHED	: Taunton River
EEA NUMBER	: 15370
PROJECT PROPONENT	: Mass Gaming & Entertainment, LLC
DATE NOTICED IN MONITOR	: May 20, 2015

Pursuant to the Massachusetts Environmental Policy Act (MEPA) (M.G. L. c. 30, ss. 61-62I) and Section 11.03 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **requires** the preparation of a Mandatory Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), Mass Gaming & Entertainment, LLC (the Proponent) is seeking a Category 1 gaming license from the Massachusetts Gaming Commission (MGC) for redevelopment of the Brockton Fairground as a destination resort-casino. Project elements include:

- 258,000-square-foot (sf) gaming establishment with approximately 3,000 gaming positions;
- 254,000 sf, 100-foot tall, resort-hotel providing 300 rooms with fitness center, spa, pool, and event and entertainment space;
- restaurants and retail space; and
- approximately 3,000 parking spaces provided in on-site surface lots and a four-story parking garage.

The project will include a combination of new construction and demolition of approximately 110,000 sf of existing buildings and structures. The project includes construction of access drives, extensive landscaping, construction of a new stormwater management system and other associated infrastructure. Off-site improvements include reconstruction of West Street at Forest Avenue to include a roundabout, widening of Forest Avenue and signalizing the primary site driveway and Memorial Drive intersections, and widening of West Street east of Forest Avenue to provide a secondary driveway to the site.

The project schedule is dependent upon the MGC schedule for review and licensing. At the MEPA Scoping Session on June 15, 2015, the Proponent indicated that construction would be completed within approximately two years of commencement and confirmed that the off-site improvements would be completed prior to opening the facility.

Background

On November 22, 2011, Governor Patrick signed into law Chapter 194 of the Acts of 2011: An Act Establishing Expanded Gaming in the Commonwealth (the Expanded Gaming Act). Massachusetts General Laws Chapter 23K, Section 19, as amended by Section 16 of the Expanded Gaming Act, authorizes the Commonwealth, through the MGC, to license three casinos within the Commonwealth, one each in three distinct geographic regions within the Commonwealth. Those regions were identified as Region A (Suffolk, Middlesex, Essex, Norfolk and Worcester counties), Region B (Hampshire, Hampden, Franklin and Berkshire counties) and Region C (Bristol, Plymouth, Nantucket, Dukes and Barnstable counties).

Section 19 of the Expanded Gaming Act anticipated that a tribe may seek to conduct expanded gaming in Region C pursuant to the Indian Gaming Regulatory Act (IGRA), as amended, and codified at 25 U.S.C. §§ 2701 to 2721 inclusive, and 18 U.S.C. §§ 1166 to 1168, inclusive. A class III gaming project permitted under IGRA would not require a license from the Commonwealth to operate, so long as a tribal-state compact is in place. Governor Deval Patrick signed a compact with the Mashpee Wampanoag Tribe (the Tribe) in March 2013 which was approved by the U.S. Department of Interior. The Tribe has purchased land located in Taunton (Region C) and must have that land put into trust for gaming purposes by the U.S. Department of Interior before the Tribe can begin casino development. The Tribe's proposed project, Project First Light-Destination Resort Casino (EEA# 14924), underwent MEPA review which concluded with a Certificate on the Final Environmental Impact Report (FEIR) in January 2015.

On April 2013, the MGC adopted a plan that opens Region C (Southeastern Massachusetts) to commercial applications while also providing the Tribe additional time to pursue the necessary Federal approvals for their project. MGC has indicated that its final determination on a commercial license will take into account the totality of economic circumstances, including Tribal status, as they exist at the time of the licensing decision.

As part of the gaming process, a Host Community Agreement was executed with the City of Brockton on February 19, 2015 and approved by local referendum on May 12, 2015. The Host Community Agreement is required to identify and address potential impacts that the proposed

resort-casino will have on the municipality where it is proposed to be located. The Proponent will also enter into Surrounding Community Agreements with other communities. A Surrounding Community is a municipality in proximity to a host community that is likely to experience impacts from development or operation of the resort-casino. The Surrounding Community Agreements will identify the potential impacts resulting from a resort-casino located in closer proximity to the Surrounding Communities and associated mitigation and other conditions and will document the public outreach that has occurred to them.

Project Site

The 45-acre site contains the Brockton Fairgrounds and is bounded by Belmont Street to the northwest, West Street to the southwest, Forest Avenue to the south, Thurber Avenue and Othello Street to the east, and office and commercial buildings to the north. The site is comprised of three contiguous parcels which contain access drives, storage buildings, a grandstand and abandoned horse track, and surface parking and other associated infrastructure. Brockton High School and Campanelli Stadium are located southwest of the site on the opposite side of Forest Avenue. Densely developed residential areas are located north of Belmont Street (Route 123) and immediately east and southeast of the project site. The site contains approximately 110,000 sf of buildings, the tallest of which is approximately 60 feet high (the grandstand). Based on the ENF, the project site does not contain jurisdictional wetland resource areas; however, wetland resource areas are located off-site proximate to proposed roadway improvements.

Environmental Impacts

Potential environmental impacts are associated with land alteration, generation of approximately 13,886 weekday average daily trips (adt), 17,358 Friday adt, and 22,530 Saturday adt; 110,000 gallons per day (gpd) of wastewater, and consumption of 120,000 gpd of domestic water, construction of additional water and sewer infrastructure, and generation of Greenhouse Gas (GHG) emissions. Measures to avoid, minimize, and mitigate environmental impacts include, but are not limited to, redevelopment of a previously disturbed site, roadway and signal improvements (including off-site improvements), implementation of a Transportation Demand Management (TDM) program to reduce vehicle trips, improved pedestrian access, and construction of a new stormwater management system. The project will be designed to be certifiable by the U.S. Green Building Council's (GBC) Leadership in Energy and Environmental Design (LEED) at the Gold level and will incorporate measures to reduce heat island effect and domestic water consumption, promote better building energy performance, and will incorporate sustainable building materials into project design where feasible.

The Proponent and the City of Brockton have negotiated and entered into a Host Community Agreement (HCA) that was executed on February 29, 2015. The HCA identifies anticipated costs to the City of Brockton and proposes mitigation measures to offset the impacts of construction and operation of a destination resort-casino.

The HCA includes commitments by the Proponent to identify and mitigate project related impacts to traffic and transportation, utilities, public safety, and schools and housing. This

commitment is specific to the direct benefit of the City of Brockton, and does not specifically address mitigation of the potential impacts of the project to surrounding communities. The Proponent will negotiate separate agreements with surrounding communities as the project proceeds. The HCA also identifies numerous categories of mitigation actions and impact payments that are beyond the purview of MEPA jurisdiction (e.g., agreements with regard to payments in lieu of taxes, contributions to Brockton Community Foundation to further City initiatives, community impact fee, and hiring preference for Brockton residents and vendors).

Jurisdiction and Permitting

The project is subject to MEPA review and requires the preparation of a Mandatory EIR pursuant to 301 CMR 11.03 (1)(a)(2), (6)(a)(6), and (6)(a)(7) because it requires a State Agency Action and it will result in 10 or more acres of impervious area; generate 3,000 or more adt; and construct 1,000 or more new parking spaces. The project requires a Category 1 Gaming License from the MGC and a Vehicular Access Permit from the Massachusetts Department of Transportation (MassDOT). The project is subject to the May 5, 2010 MEPA GHG Emission Policy and Protocol (GHG Policy).

The project will require multiple permits and approvals from the City of Brockton, including a Site Plan Approval from the Planning Board, Stormwater Permit from the Planning Board or Department of Public Works (DPW), a Building Permit and a Trenching Permit from the Department of Building and Inspections (DBI), and a Road Opening Permit from the DBI or DPW. The project may require an Order of Conditions from the Brockton Conservation Commission for off-site improvements (or a Superseding Order of Conditions (SOC) from the Massachusetts Department of Environmental Protection (MassDEP) in the event a local order is appealed). As part of the MGC review, Proponent anticipates that the Proponent will enter into a Surrounding Community Agreement with one or more surrounding municipalities and these agreements will be subject to a local referendum in each community. Federal permits appear to be limited to a National Pollutant Discharge Elimination System (NPDES) Construction General Permit.

Because the Proponent is not requesting State Financial Assistance, MEPA jurisdiction is limited to the subject matter of required or potentially required permits; however, the subject matter of the Gaming License confers broad scope jurisdiction and extends to all aspects of the project that may cause Damage to the Environment, as defined by the MEPA regulations.

Comments on the ENF

I have received comment letters from municipal representatives, municipalities, State and regional agencies, from environmental advocacy groups, and residents. The majority of comments on the ENF identify the challenge posed by existing congestion of the local and regional roadway system and the additional traffic generated by the project and reflect concerns with the project's increased demand on the City's water supply and potential to degrade ecologically sensitive areas within these drinking water systems. I have also received comments from residents opposed to the project that identify some concerns regarding non-environmental or non-jurisdictional impacts with regard to the MEPA process. MEPA is an environmental

impact disclosure process; MEPA does not approve or deny a project, but serves as a public forum for a project proponent to identify potential project-related impacts and propose mitigation measures to offset these potential impacts prior to the separate State Agency individual permitting processes. A key purpose of MEPA is 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" (301 CMR 11.01(1)(a)).

The MEPA process will provide a valuable forum for public input; however, the Scope is limited to identification and analysis of environmental impacts associated with the proposed development. The MEPA process occurs early in the design process to identify key environmental concerns and challenges, prior to final project design. It does not generally address issues at a level of detail commensurate with those often reviewed at the local level, either through site plan review or zoning board review levels within each municipality. MEPA is also not a zoning process, and it does not proscribe to a Proponent what, where or how a project should be designed or built. The Scope issued today will ensure that the environmental impacts of the proposed project and thoughtful mitigation measures will continue to be considered and evaluated by the Proponent. The DEIR will provide additional information regarding the project design, potential impacts, and alternative mitigation measures and it will provide another opportunity for State Agencies and the public to provide input on the project and its environmental impacts.

Review of the ENF

The ENF was filed with the MEPA Office in May 2015 with a request that the typical 20-day comment period be extended an additional three weeks.[1] The ENF was noticed in the May 20, 2015 Environmental Monitor and the public comment period deadline was extended to June 30, 2015. On June 15, 2015, a public MEPA Scoping Session was held at The Shaw's Center, located at 1 Feinberg Way in Brockton to comply with 301 CMR 11.06(2).

The ENF submitted by the Proponent included a completed form, required plans and maps, the ENF distribution list, and a Transportation Study. The ENF included a brief description of the existing land uses on the project site, the project's proposed programmatic elements, a limited alternative analysis, and bulleted summary of the key mitigation measures negotiated as part of the HCA with the City of Brockton.

Alternatives Analysis

In addition to the No-Build alternative, three other alternatives were evaluated in the ENF. It included conceptual plans and a building program for each alternative and a table that summarizes the environmental impacts associated with each. The alternatives include:

- **As of Right Development Option (Alternative A):** This Alternative includes development of a retail center similar in character to those that exist to the west of the

[1] Each of the casino Proponents have agreed to an extension of the public comment period on the ENF to provide additional time for public review and comment.

project site. This Alternative includes a 386,000 sf retail center with 1,764 surface parking spaces. The anticipated breakdown of uses includes a 238,000 sf discount superstore and 148,000 sf of typical general retail "shopping center uses".

- **Mixed-Use Development Option (Alternative B):** This Alternative includes the development of eleven four-story residential buildings and seven retail pads. In total, this Alternative would consist of approximately 570 housing units over a total of 746,000 sf of residential floor area and 147,950 sf of retail, with a total of 1,834 parking spaces.
- **Preferred Alternative:** The project as proposed in the ENF and described in this Certificate.

According to the ENF, a No-Build Alternative was not considered as the site is currently underutilized and the City would lose the revenue and economic benefits that developing the site can provide. Alternative A would result in greater traffic generation than the Preferred Alternative. Additionally, while it would utilize less potable water and generate less wastewater than the Preferred Alternative it would result in a larger impervious cover and a reduction in landscaped areas and open space. When compared to the Preferred Alternative, Alternative B results in a reduction in both the impervious cover and peak hour traffic generation; though it increases impacts on potable water use and wastewater generation.

The ENF emphasized the project's consistency with the Expanded Gaming Act and its economic benefits to the City (Real Estate Taxes/PILOT and additional payments under the Host Community Agreement). The Proponent indicated Alternative A and B are not consistent with its mission and objectives, nor would it result in payments to the Gaming Commission and those associated with host and surrounding community agreements.

The project purpose is defined as the development of a resort-casino proposed to be consistent with the Expanded Gaming Act, which was developed to create new jobs and spur economic development. The DEIR should identify elements of the project that are required by the legislation and/or regulations and the extent to which the size and associated impacts of the project are driven by gaming requirements, such as the minimum capital investment for a Category 1 license.

Wetlands & Stormwater

Based on the ENF, there are no jurisdictional wetland resource areas located on the project site; however, wetland resource areas are located off-site proximate to proposed roadway improvements. No information was provided to quantify potential wetland resource area impacts associated with off-site roadway improvements. The project site does not currently have a stormwater management system to treat stormwater runoff from existing paved surfaces. The ENF states that project-related stormwater runoff will be collected and managed in accordance with the Wetlands Regulations (310 CMR 10.00) stormwater management standards (SMS).

Historic Resources

According to correspondence provided with the ENF from the Massachusetts Historical Commission (MHC), the Brockton Fairgrounds (MHC# BRO.F) is included in the MHC

Inventory of Historic and Archaeological Assets of the Commonwealth, however does not appear to meet the criteria of eligibility for listing in the State and National Registers of Historic Places. MHC has noted that the Brockton Fairground Exhibition Hall, located on an adjacent parcel, is included in the Inventory (MHC ID# BRO.14) and does meet the criteria of eligibility for listing in the National Register of Historic Places. This structure is located adjacent to parcels within the project site but is not located within the project boundaries.

Solid Waste/Hazardous Materials

The ENF indicates that the project will demolish approximately 110,000 sf of buildings and structures. According to the ENF, materials that cannot be recycled or reused will be transported by a contracted hauler to a licensed facility in accordance with MassDEP's Solid Waste Regulations (301 CMR 16). The ENF indicated that it is unknown at this time whether the on-site structures contain asbestos.

Traffic and Transportation

The ENF included a Transportation Study prepared in general conformance with the *EOEEA/MassDOT Guidelines for EIR/EIS Traffic Impact Assessment (TIA).* The Transportation Study estimated that the project will generate approximately 1,107 vehicle trips during Friday evening peak hour and 1,411 trips during Saturday evening peak hour. The project will generate approximately 13,886 weekday daily vehicle trips, 17,358 Friday daily vehicle trips, and 22,530 Saturday daily vehicle trips. The Transportation Study described existing (year 2015) and proposed (year 2025) roadway, intersection, and pedestrian conditions; roadway and intersection volumes, safety issues at intersections; and operational analyses for intersections for the Friday PM Peak Hour and Saturday PM Peak Hour conditions.

The ENF included a list of proposed transportation mitigation measures to address project-related impacts within the Study Area. New site driveways and intersections created by the project and proposed traffic improvements were also analyzed as part of the Transportation Study. The Study Area included the following intersections within the City of Brockton:

Signalized Intersections:

- Belmont Street at Manley Street
- Belmont Street at VA Hospital/Belmont Court
- Belmont Street at Belmont West Plaza/Angus Beaton Drive
- Belmont Street at Westside Plaza/West Street
- Belmont Street at Westside Plaza/Forest Avenue
- Belmont Street at West Street
- Belmont Street at Torrey Street
- West Street at Torrey Street
- Forest Avenue at Memorial Drive (future signalized)
- Forest Avenue at Ash Street
- Forest Avenue at Manomet Street/Bouve Avenue
- Forest Avenue at Warren Avenue
- Forest Avenue at Main Street/Martin Place (future signalized)

- Forest Avenue at Proposed Primary Site Drive (future signalized)

Non-Signalized Intersections:
- Belmont Street at Linwood Street/Lorraine Avenue
- Belmont Street at Fairgrounds Driveway/Kenelworth Avenue
- West Street at Forest Avenue – Four Way Intersection
- West Street at Forest Avenue – Three Way Intersection
- Route 24 Southbound Ramps at Belmont Street
- Route 24 Northbound Ramp at Belmont Street
- West Street at Proposed Casino Driveway

Crash data reviewed in the Transportation Study concluded that three signalized study intersections exceeded the MassDOT District 5 average crash rate of 0.77 crashes per million entering vehicles and two non-signalized intersections exceeded the average rate of 0.58 crashes per million entering vehicles. Traffic operations were evaluated for the Friday PM Peak Hour and Saturday PM Peak Hour conditions at both signalized and unsignalized intersections. The Transportation Study identified several intersections along the Belmont Street corridor that operate at LOS E or F under 2015 Existing Conditions.

The Transportation Study included an analysis of the 2025 No-Build Condition. This analysis evaluated future conditions within the Study Area without the construction of the casino project, including background traffic growth, traffic generated by other development projects that are currently under review at the local and/or state level,[2] and both funded and planned MassDOT improvement projects along Belmont Street. The 2025 No-Build Condition analysis did not incorporate potential roadway network improvements associated with Belmont Street and Forest Avenue which are identified in the Old Colony Planning Council (OPCP) *2014 Southwest Brockton Corridor Study.* The LOS analysis for the 2025 No-Build Condition identified several intersections that either continue to operate at LOS B or degrade to LOS C from the 2015 Existing Conditions analysis.

The 2025 Build Condition included an analysis of traffic conditions associated with full build-out of the proposed project. For the purposes of the traffic analysis, the proposed uses were generally broken into two use categories: 258,000 sf casino with 3,000 gaming positions including gaming floor, restaurants, retail, back-of-house, and event space; and 254,000 sf hotel with 300 rooms. The Institute of Transportation Engineers (ITE) does not include trip generation rates for casinos. Consistent with other casino projects that have undergone MEPA review, trip generation rates for the project were based on the number of gaming positions approach based on the collection of empirical data from gaming facilities that are already in operation as. Specifically, the empirical site trip data was collected at the Proponent's Sugarhouse Casino in Philadelphia, Pennsylvania; Twin River Casino in Rhode Island; Casino St. Charles in Illinois; and projections from the proposed First Light Casino in Taunton, MA. The estimated trip generation rates included activity associated with ancillary facilities such as restaurants and retail venues. Trip generation for the hotel was derived from the ITE's Trip Generation manual using land use code (LUC) 330 for Resort Hotel. Separate trip rates were not identified for patrons and employees of the casino complex. Project-related trip distribution was derived from a gravity

[2] The ENF notes that no projects were identified based on a review of MEPA files.

model that that accounted for market area population density, competing facilities, proprietary market demographic data, and the travel time efficiency of roadways. The majority of trips to the project site are expected to use Route 24 northbound and the Belmont Street (Route 123) interchange. The LOS analysis for the 2025 Build Condition identified several intersections that either continue to operate at LOS C or B or degrade to LOS C from the 2025 No-Build Conditions Analysis.

To mitigate project-related transportation impacts, the ENF proposed a comprehensive series of improvements or modifications to Study Area roadways. These mitigation measures were identified and recommend by the OCPC in the *Southwest Brockton Corridor Study*. These mitigation measures assume that the MassDOT planned and funded improvements will be completed in time for the opening of the proposed casino. The proposed site access improvement measures include the following:

- **Forest Avenue / West Street Modern Roundabout** – A two-lane modern roundabout will be constructed and designed for three-legged operation. A portion of West Street between Feinberg Way and Forest Avenue will be converted to one-way (eastbound) traffic flow toward the roundabout and the portion of Forest Avenue between West Street and Belmont Street will be converted to one way traffic flow (northbound) away from the roundabout. The easterly segment of West Street will be re-aligned and widened to provide four travel lanes. The improvements and widening will be on property under control of the Proponent and/or within City jurisdiction.
- **Forest Avenue Widening** – Forest Avenue will be widened to a four lane cross-section between the proposed modern roundabout and Memorial Drive. The improvements will follow MassDOT "Complete Streets" design standards and will include shoulders for bicycle accommodation and Americans with Disabilities Act (ADA)-compliant sidewalks and crossings.
- **Site Drive Signal** –a fully actuated traffic signal and associated pedestrian control equipment will be installed at the Forest Avenue/Site Driveway intersection.
- **Memorial Drive Signal** - A fully actuated traffic signal and associated pedestrian control equipment will be installed at the intersection of the Forest Avenue/Memorial Drive.
- **West Street Widening & Realignment** – The existing 2-lane alignment of West Street between Belmont Street and Forest Avenue (east of Forest Avenue) will be re-aligned on property controlled by the Proponent and widened to provide a 4-lane cross-section. This will allow proper roadway alignment and separation of traffic movements at the modern roundabout.
- **West Street Driveway** - Proposed site egress to West Street will be restricted to right-turn-only movements by a raised, landscaped island to minimize conflict points along West Street.
- **Forest Avenue One-Way Conversion** – The portion of Forest Avenue between West Street and Belmont Street will be converted to one-way northbound traffic flow to accommodate existing traffic flow patterns headed tower the West Gate

Plaza and the primary outbound (existing) traffic flow for the casino. This will allow for dual left-turn capability onto Belmont Street and efficient signal operations under Build traffic conditions. This will require modification of the lanes opposite Forest Avenue at the plaza driveway to provide dual left-turns.

- **West Street One-Way Conversion** – The portion of West Street between Feinberg Way and Forest Avenue will be converted to one-way (eastbound) traffic flow toward the modern roundabout. This will retain the two-way flow along the remaining portion of West Street between Belmont Street and Feinberg Way to accommodate the existing fire station access/circulation and traffic flow associated with the sports stadium activities. To facilitate access onto West Street from Belmont Street, the existing eastbound right-turn lane will be lengthened, requiring an adjustment of the roadway right-of-way property owned by the City.
- **Belmont Street Signal Modifications** – Signal equipment, signal timing and signal phasing modifications will be implemented at the Belmont Street intersections with West Street/West Gate Plaza, Forest Avenue, and West Street.

The Transportation Study concluded that the proposed traffic mitigation measures will bring operations at affected signalized intersections within the Study Area back to acceptable levels under the 2025 Build Conditions (LOS C or higher during peak hours). The project also includes off-site signal improvements. Specifically, the Proponent will work with the City to implement new signal control at Main Street/Forest Avenue and will upgrade existing signals at the Forest Avenue intersections with Ash Street, Manomet Street, and Warren Avenue. These improvements will reduce delays and result in projected operations of LOS C or better and will eliminate existing failing conditions (LOS F). The Proponent has also committed to monitoring traffic volumes and signal operations at the Belmont Street intersections at Manley Street, VA Hospital, and Linwood Street/Lorraine Avenue within 6 months of casino occupancy. If the monitoring demonstrates that additional mitigation is warranted, the Proponent will modify signal timing/phasing necessary to provide optimal operations during peak traffic hours.

Existing transit service in the Study Area is provided by the Brockton Regional Transportation Authority (BAT). The BAT Centre in Brockton serves as the hub for regional BAT bus service and the MBTA Old Colony Lines commuter rail services. According to the ENF, the project site, while not directly served by BAT, is convenient to BAT Bus Routes 3, 9, and 13. The ENF notes that the Proponent will work with BAT to evaluate the feasibility of a community shuttle bus loop that would integrate the site into BAT's existing transit service for the area.

Parking for the facility will include 1,407-space structured parking garage and approximately 1,596 surface parking spaces. The ENF does not identify how parking demand was derived.

The ENF described a preliminary list of potential TDM measures designed to reduce single occupancy vehicle (SOV) trips to the project site and encourage use of alternative modes of transportation. These measures may include integrating the site into BAT's current bus routes; posting of public transportation information and on-site sale of transit passes; improved pedestrian and bicycle access and facilities; designation of an on-site transportation coordinator;

provision of on-site employee services; provision of preferential parking for carpools, vanpools, and low-emission vehicles; transit pass subsidization; promotion of commuter assistance programs; provision guaranteed ride home program; and provision of an on-site bus shelter/taxi stand.

Water Supply and Wastewater

The ENF identified water demand as approximately 120,000 gpd. The ENF assumes that the City of Brockton will provide water to the project site. The ENF does not identify additional or alternative water mains to serve the project site and the ENF did not identify whether other improvements to the water supply system are required to serve the project. The ENF did not contain a capacity analysis, identify the City's permitted water withdrawals and existing demand, or indicate whether the additional demand associated with the project will exceed the City's permitted withdrawal capacity.

The ENF identified wastewater generation as approximately 110,000 gpd. The ENF notes that the existing collection system is at or near capacity; however the ENF did not provide a capacity analysis. Based on the ENF, the local sewer mains on the project site and in adjacent streets are generally 6" to 8" clay lines which were intended to handle smaller flows. The Proponent will construct an approximately 800-900 ft municipal main line to better serve the immediate area and direct project flows to the City's sewer interceptor located near the westernmost intersection of West Street and Belmont Street. Water conservation and Infiltration and Inflow (I/I) reduction measures include the replacement of clay pipes with new, watertight sewer mains; disconnecting illicit connections to the stormwater and sanitary collection systems; and incorporating strategies to reduce potable water consumption into project design.

Construction Period

It is anticipated that the Proponent will prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES Construction General Permit requirements to manage erosion and sedimentation during the construction process. The Proponent will encourage the contractor to recycle metal, concrete, and other material resulting from building demolition as practicable. The Proponent will also implement measures to limit air emissions during the construction period including: idling restrictions, enclosures or barriers on small equipment that must operate continuously, and regular maintenance of equipment and equipment mufflers.

SCOPE

General

The DEIR should follow Section 11.07 of the MEPA regulations for outline and content, as modified by this scope.

Project Description and Permitting

The DEIR should include a detailed description of the proposed project and describe any changes to the project since the filing of the ENF. The DEIR should include updated site plans for existing and post-development conditions at a legible scale, clearly identifying access roadways and internal driveways, adjacent land uses, off-site jurisdictional wetland resource areas, surface and structured parking, stormwater, wastewater, and water supply infrastructure. The DEIR should include an updated building program for the project that provides the square footages and associated uses of the facility (back-of-house, gaming floor, hotel, retail, restaurant, event, etc.) The DEIR should describe anticipated construction sequencing (i.e., off-site roadway improvements, buildings, parking) and timelines for construction.

The DEIR should identify permitting requirements associated with the project include a narrative that describes the project's consistency with applicable regulatory requirements and approval criteria. To provide context for the project review, the DEIR should also provide a summary of the relevant sections of the Expanded Gaming Act and associated regulations, the project application process, and the development Surrounding Community agreements.

Alternatives Analysis

As noted above, the project purpose is defined as the development of a resort-casino proposed to be consistent with the Expanded Gaming Act, which was developed to create new jobs and spur economic development. The DEIR should identify elements of the project that are required by the legislation and/or regulations and the extent to which the size and associated impacts of the project are driven by gaming requirements, such as the minimum capital investment for a Category 1 license.

Wetlands & Stormwater

Comments from MassDEP, OCPC, the Brockton Conservation Commission, and others indicate that off-site roadway improvements may require work in jurisdictional wetland resource areas and will require an Order of Conditions from the Brockton Conservation Commission. The DEIR should identify the proposed work that may impact off-site wetland resource areas, approximate potential impacts, and describe measures to avoid, minimize, and mitigate potential impacts.

The DEIR should provide additional information on the proposed stormwater management system. Specifically, the DEIR should address the types and location of BMPs to be used for stormwater treatment and infiltration to groundwater. I encourage the Proponent to maximize the use of LID techniques that break stormwater management into smaller, localized system on the site to provide improved treatment and localized recharge to groundwater. The DEIR should provide identify soil testing that has been performed in order to determine the site's suitability for groundwater recharge. As recommended by MassDEP, the Proponent should investigate the storage and re-use of stormwater for irrigation of vegetation at the project site to reduce stormwater peak runoff rates and minimize potable water consumption.

Historic Resources

Information provided in the ENF and correspondence from MHC does not reference the adjacent historic Snell Cemetery (MHC# BRO.804) located near the proposed roundabout at the Forest Avenue/West Street intersection. I expect the Proponent will work closely with the City of Brockton, Brockton Historical Society, and MHC to minimize impacts to this historic site.

Solid Waste/Hazardous Materials

MassDEP comments indicate that there are no listed Massachusetts Contingency Plan (MCP) disposal sites at or in the immediate vicinity of the project area that may impact the site. The project may result in the generation of demolition waste, portions of which may contain asbestos. The DEIR should include the results of any Environmental Site Assessment specific to the on-site structures that may be performed prior to submittal of the DEIR. Removal or abatement of regulated asbestos-containing material must be completed consistent with the requirements of 310 CMR 7.00 and disposed of in accordance with 310 CMR 19.06(3). The Proponent is also advised that asphalt and concrete rubble, such as the rubble generated by the demolition of buildings must be handled in accordance with Massachusetts Solid Waste regulations.

Traffic and Transportation

Traffic and transportation issues have been a primary area of concern for all casino projects that have undergone MEPA review. Casinos are significant traffic generators and, in contrast to most projects that undergo MEPA review, we do not have direct experience with this type of land use in Massachusetts. Development of an effective transportation access and mitigation plan is critical to avoid potentially significant impacts to the regional transportation system and state roadways. MassDOT and the regional planning agencies (RPAs) have played an active role in the scoping and review of traffic analysis for casino projects and assisted in tailoring review to this project type, including development of a methodology for trip generation, and ensuring consistency among projects. Emphasis has been placed on development of effective roadway improvements, aggressive TDM programs, and creative solutions to encourage both patrons and employees to use alternative, less-polluting transportation.

The DEIR should provide a revised and updated transportation study prepared in conformance with the most recent *EEA/MassDOT Guidelines for EIR/EIR Traffic Impact Assessment.* The study should include a comprehensive assessment of the transportation impacts of the project based on a thorough analysis of existing conditions, future No-Build conditions, and future Build conditions. MassDOT requires all new developments that require state highway access to provide multi-modal accommodations. Project planning should place equal emphasis on roadway improvements and Transportation Demand Management (TDM) measures. The revised TIA should take into account the regional context of the project and provide a comprehensive, integrated, multimodal mitigation package that would minimize the use of SOV traffic to the maximum extent possible.

MassDOT provided detailed comments on the project and analysis required to assess impacts and develop adequate mitigation. I hereby incorporate by reference the June 30, 2015 letter from MassDOT into the Scope. All issues identified in this letter should be addressed in the

DEIR. The Proponent should consult with MassDOT regarding their comments and study methodology prior to filing the DEIR.

Many commenters addressed concerns with impacts to the local and regional roadway network. State and regional transportation and planning agencies and other interested parties identified traffic and transit issues that have been incorporated into this Scope. Specifically, MassDOT raised concerns related to the scope of the TIA, in terms of the limited geographic area included; some of the trip distribution assumptions; and stressed the importance of a comprehensive TDM plan. The TIA should reevaluate the Study Area and trip distribution and identify appropriate mitigation measures for areas where the project will have an impact on traffic operations. I also received comments from OCPC and the City of Brockton via the BSC Group that request updated bicycle, pedestrian, and traffic counts as they were performed in February when residual snow banks may have impacted these counts. I refer the Proponent to comments from the BSC Group which question input parameters used in the traffic analysis software (Synchro). I strongly encourage the Proponent to meet with OCPC, BAT, and the City of Brockton prior to the preparation of the TIA to discuss concerns and anticipated areas of study within the TIA.

Traffic Operations

The MassDOT, City of Brockton's Consultant (BSC Group), and OCPC's comment letters recommended the Study Area be expanded. The DEIR should include a TIA that analyzes all the intersections reviewed within the ENF and the following additional interchanges and intersections as recommended by MassDOT:

- Belmont Street at Memorial Drive
- Belmont Street at Magnolia Avenue
- Belmont Street at Warren Avenue
- Belmont Street at Belmont Avenue
- Belmont Street at Main Street
- Main Street at Pleasant Street
- Pleasant Street at Route 28; and
- Reynolds Memorial Highway at Pleasant Street/West Street

The revised Study Area should also include the Route 24/Route 27 Interchange located north of the site. As noted by MassDOT, a significant portion (78%) of site-generated traffic is anticipated to access the site via Route 24. The DEIR should include a full analysis of the interchange and associated roadway systems, including an examination of weaving movements, ramp merge/diverge analysis, and a study of ramp queues. The Proponent should also discuss with the City of Brockton and their consultant (the BSC Group), and OCPC the further expansion of the Study Area to include the following additional intersections as identified in their comments:

- Pleasant Street at West Street
- Belmont Street at Warren Avenue
- Belmont Street at Pearl Street
- Belmont Street at Manomet Street
- Belmont Street at Ash Street

- Forest Avenue at Main Street
- Torrey Street at Pearl Street
- West Street at West Elm Street
- Warren Street at Highland Street
- Warren Street at Legion Parkway
- Warren Street at Green Street
- Main Street at Centre Street
- Main Street at Green Street/Petronelli Way
- Main Street at School Street
- Montello Street at Centre Street
- Montello Street at School Street
- Montello Street at Crescent Street
- Centre Street at Commercial Street
- School Street at Crescent Street
- School Street at Commercial Street
- Reynolds Memorial Highway at Westgate Drive/Christy's Drive
- Reynolds Memorial Highway at eastern Westgate Drive

The DEIR should provide an update on the timeline of the proposed MassDOT improvements along Belmont Street. If the MassDOT improvements will not be in place prior to occupancy, the DEIR should identify alternative or interim improvements. The ENF has proposed a series of roadway improvements, signal timing and/or phasing modifications, and new traffic signals. The DEIR should include a traffic signal warrant analysis according to the Manual of Uniform Traffic Control Devices (MUTCD).

The DEIR should include sufficiently detailed conceptual plans (preferably 80-scale) for the proposed roadway improvements in order to verify the feasibility of constructing such improvements. The conceptual plans should clearly show the proposed lane widths and offsets, layout lines and jurisdictions, and land uses (including access drives) adjacent to areas where improvements are proposed. Any proposed measures within the State highway layout, as well as internal circulation, must be consistent with a Complete Streets design approach that provides adequate and safe accommodation for all roadway users, including pedestrians, bicyclists, and public transit riders. Guidance on Complete Streets design guidelines is included in the MassDOT *Project Development and Design Guide*. Where these criteria cannot be met, the Proponent should provide the justification as to the reason why, and should work with the MassDOT Highway Division to obtain a design waiver.

MassDOT comments indicate that using empirical data from other gaming facilities to approximate trip generation is consistent with the methodology used by other casino proponents. The DEIR should provide additional information on the size, geographic location, and programmatic features of the other gaming facilities to determine whether they are comparable facilities and will provide an accurate assessment of the projected site travel. The DEIR should present separate trip generation data for employees and patrons as noted in comments from MassDOT and the BSC Group (on behalf of the City of Brockton). The DEIR should also provide a discussion of trip generation with a time-of-day distribution of employee travel

demand based on the anticipated timing of work shifts and indicate how those shifts correlate with transit service times.

Comments from MassDOT and BSC Group (on behalf of the City of Brockton) question the project trip distribution and request a revised trip distribution analysis to ensure the assumptions in the gravity model accurately reflect project trip distribution. The DEIR should provide an updated gravity model to include the expanded Study Area and provide appropriate documentation to verify how the distribution percentages are calculated and assigned to the roadway network. The same analysis should be provided for the regional transit system. The DEIR should also address the impacts to the roadway network in relation to traffic generated by Brockton Rox games at the adjacent Campanelli Stadium as parking for the games utilizes the high school parking lot.

Safety

The DEIR should address the safety aspects of proposed roadway improvements and clarify whether any of the locations with crash rates above district average are considered Highway Safety Improvement Program (HSIP) clusters. If HSIP clusters are identified, a Road Safety Audit (RSA) should be prepared to identify appropriate safety improvements. The Proponent should work with MassDOT and the City to expand and refine measures to measures to mitigate potential safety issues associated with project-related traffic.

Multi-Modal Access

The DEIR should include a comprehensive analysis of existing and future conditions of transit services within the study area; identify existing frequency and capacity, and provide a realistic projection of future demand. I expect that the Proponent will coordinate with BAT, OCPC, the City, and MassDOT prior to preparing the analysis. Based on the results of this analysis, the DEIR should propose a comprehensive transit mitigation plan to reduce site vehicular traffic and identify and commit to key investments that will attract employees and patrons to public transportation. I anticipate that high-quality public transportation will be provided to the site to limit the number of SOV trips. The DEIR should describe the Proponent's plans to provide seamless access for patrons and employees arriving by over-the-road-coach, urban transit buses, and shuttle buses. I expect the Proponent will initiate and advance communication with BAT and provide an update of these discussions in the DEIR.

The DEIR should provide a thorough inventory of existing, planned, and proposed pedestrian and bicycle services, facilities, and routes for accessing the site; analyze existing and future bicycle and pedestrian conditions based on the project's impacts; and commit to making improvements to increase usage of those modes. I expect the inventory will address the criteria contained in MassDOT's comments and address the issues regarding public transportation facilities identified in the comment letter submitted by the BSC Group (on behalf of the City of Brockton). The DEIR should also provide mode splits targets for pedestrians, bicyclists, and public transit users for use in monitoring and evaluation of the effectiveness of TDM programs. It should project estimated reduction in vehicle trips associated with each of these modes.

Parking/Drop-Off and Loading Areas

The DEIR should clarify the methodology used to determine the total parking demand for the project. The Proponent should seek to provide adequate parking based upon validated need and implement measures to reduce overall parking demand. The DEIR should include a summary of parking demand and supply for comparable casino facilities based on multiple data sources, determine the number of spaces occupied at various times of day and identify periods of peak use. The DEIR should compare the proposed parking supply to the City of Brockton parking requirements and confirm that off-site employee parking is not required, or if so, identify its location and means to provide shuttle service for employees to and from the casino and off-site parking areas.

It is anticipated that the casino will utilize valet parking and draw public and private buses, shuttle services, limousines, and taxis to the project site. The DEIR should provide a description of on-site circulation and parking and identify and describe the location of proposed valet and drop-off/pick-up area; discuss how it will be integrated into the internal roadway network; identify the location and/or availability of extended parking or temporary layover areas for buses and chartered vehicles; and demonstrate that access to the facility by transit modes will have accommodations at least equivalent to those arriving by private automobile. The DEIR should also identify preferred truck routes, delivering/loading areas, and anticipated number of delivery truck trips.

Transportation Demand Management (TDM)

The DEIR should include an expanded and refined TDM program designed to meet identified mode share targets. The Proponent should investigate TDM measures implemented by similar facilities, and explore additional measures to maximize usage of existing and proposed pedestrian, bicycle, and transit facilities. The DEIR should evaluate the various TDM recommendations provided by MassDOT, MassDEP (including identified parking management measures), and OCPC; identify those measures that will be adopted; and provide justification for their dismissal for those measures that will not be adopted. The DEIR should indicate whether the Proponent or a third-party tenant will be responsible for implementing each TDM measure.

Transportation Monitoring

The DEIR should include a commitment to the implementation of a transportation monitoring program (TMP) to be conducted upon occupancy of the project. The TMP's goals should be to evaluate the assumptions made in the TIA and the adequacy of the proposed transportation mitigation measures, including effectiveness of the TDM program, and evaluate attainment of mode share targets. As directed by MassDOT, the TMP should be conducted semi-annually, commencing with initial occupancy of the project and continuing for a minimum of five years following full occupancy of the project. The DEIR should provide a draft of the TMP proposing how monitoring will be tied to project phasing and overall project occupancy and operations, as well as anticipated intersections/interchanges/roadway segments for future monitoring. The draft TMP should discuss how deficiencies determined by future monitoring efforts will be addressed. The Proponent will be responsible for identifying and implementing

operational improvements at constrained locations and for updating the TDM program as necessary to ensure that mitigation commitments are met.

Greenhouse Gas Emissions

This project is subject to review under the May 5, 2010 MEPA GHG Policy. The DEIR should include an analysis of GHG emissions and mitigation measures in accordance with the standard requirements of this Policy. The analysis should quantify the direct and indirect GHG emissions associated with the project's energy use and transportation-related emissions. Direct emissions include on-site stationary sources, which typically emit GHGs by burning fossil fuel for heat, hot water, steam and other processes. Indirect emissions result from the consumption of energy, such as electricity, that is generated off-site by burning of fossil fuels, and from emissions associated with vehicle use by employees, vendors, customers and others. The DEIR should identify and commit to mitigation measures to reduce GHG emissions. I refer the Proponent to the Policy for additional guidance on the analysis. The Proponent must meet with representatives from MEPA, MassDEP, and the Department of Energy Resources (DOER) prior to preparation of the DEIR to discuss the GHG analysis, assumptions, and methodology.

The DEIR should include a GHG emissions analysis that calculates and compares GHG emissions associated with: 1) a Massachusetts Building Code-compliant baseline (based on the Massachusetts Building Code 8th Edition (Chapter 780 CMR 13.00) which has been amended to adopt and integrate either the current version of the International Energy Conservation Code (IECC) or ASHRAE 90.1-2010; 2) a Preferred Alternative that includes energy efficiency design measures to achieve compliance with the Policy. The Policy requires proponents to use energy modeling software to quantify projected energy usage from stationary sources and energy consumption and mobile source modeling software to predict transportation-related emissions. The DEIR should clearly state the types of modeling software used, the Building Code in effect at the time of the modeling, and emissions factors applied to GHG calculations. As an additional measure to confirm modeling accuracy, I encourage the Proponent to compute the Energy Use Index (EUI) for the proposed buildings, to compare the values obtained against EUIs calculated in the Commercial Building Energy Consumption Survey (CBECS) database for the applicable climate zone. The benefits and limitations of the CBECS database can be discussed at the required GHG analysis pre-filing meeting.

The GHG analysis should clearly demonstrate consistency with the objectives of MEPA review, one of which is to document the means by which Damage to the Environment can be avoided, minimized and mitigated to the maximum extent feasible. The Proponent should identify the model used to analyze GHG emissions, clearly state modeling assumptions, explicitly note which GHG reduction measures have been modeled, and identify whether certain building design or operational GHG reduction measures will be mandated by the Proponent to future occupants or merely encouraged for adoption and implementation. The DEIR should include the modeling printout for each alternative and emission tables that compare base case emissions in tons per year (tpy) with the preferred alternative showing the anticipated reduction in tpy and percentage by emissions source (direct, indirect and transportation). I refer the Proponent to the example of tables included in DOER's comment letter. The DEIR should include a clear and complete listing of modeling inputs (e.g., R-values, U-values, efficiencies,

lighting power density, etc.) for items such as equipment, walls, ceilings, windows, lighting, HVAC units, etc. for both the Base Case and Preferred Alternative. The DEIR should also reference the occupied and unoccupied thermostat levels assumed in the modeling for both heating and cooling processes. Other tables and graphs may also be included to convey the GHG emissions and potential reductions associated with various mitigation measures as necessary.

The Policy includes an appendix of suggested mitigation measures to achieve reductions in project-related GHG emissions. The DEIR should analyze the feasibility of these mitigation measures, and if feasible, these measures should be included within the modeling inputs, as applicable. The MassDEP comment letter also highlights some key energy efficiency measures that the DEIR should analyze, many of which are also referenced in the Policy. Some measures, such as the use of solar photovoltaic (PV) may require a separate calculation to document the GHG emissions reduction potential associated with their implementation. The DEIR should explain, in reasonable detail, any measure not selected- either because it is not applicable to the project or is considered technically or financially infeasible- that would result in a significant reduction of GHG emissions.

The casino complex will contain higher-than average plug loads due to lighting and equipment requirements (i.e., gaming machines, televisions, monitor displays, kitchen equipment, etc.). The DEIR should evaluate additional measures to reduce project plug loads, including the use of more efficient equipment (such as Energy Star), reductions in equipment used, use of control equipment to limit use, and power management techniques.

I strongly encourage the Proponent to consider the benefits of incorporating a Combined Heat and Power (CHP) system into the project design. The 24-hour nature of these projects and inclusion of hotels make them good candidates for CHP. Several casino projects have proposed CHP systems to reduce GHG emissions and improve energy efficiency. A significant benefit of a CHP system is the ability to supply off-grid power, heat and cooling during a power outage. As noted later in this Certificate, the use of a CHP system may provide climate resiliency benefits to the greater community. The DEIR should include an analysis of the technical and financial feasibility of a CHP system for the casino complex.

The DEIR should evaluate the feasibility of on-site renewable energy. It appears that there may be ample opportunities for solar PV or solar thermal systems. The DEIR should include details regarding the potential output of one or multiple rooftop solar PV systems, identify areas suitable for ground-mounted solar arrays, provide an economic analysis associated with a first-party or third party installation, and for potential rooftop systems, how mechanicals can be arranged to maximize the area that could be dedicated to PV uses. This analysis of both roof-mounted and ground-mounted PV systems should include assumptions about available rooftop or land areas, potential system outputs, and installation costs ($/watt). I recommend that the Proponent use data available from the Massachusetts Clean Energy Center to obtain current data on average $/watt installation costs for PV systems in Massachusetts (*Commonwealth Solar Installers, Costs, Etc.*, available at http://www.masscec.com/index.cfm/page/Downloads-and-Resources/pid/11163). If PV is not financially feasible, I request that the Proponent commit in the DEIR to revisit the PV financial analysis on a regular timetable and to implement PV when the financial outcomes meet specified objectives. The DEIR should include a feasibility analysis

of implementing a solar hot water system to meet some or all of the demand for the hotel use. This evaluation should be compared to the opportunities afforded by the installation of roof-top systems solely to offset electricity usage.

I encourage the Proponent to evaluate energy-efficiency measures, in both building design and operation, adopted by other proposed casino projects for inclusion in this project. In the process of advancing project design, I encourage the Proponent to consider design options that will allow for cost-effective integration of efficiency or renewable energy measures in the future when such measures may become more financially or technically feasible. Furthermore, the Proponent should consider the implementation a variety of mitigation measures such as solid waste and food waste management, recycling of construction and demolition debris, use of renewable/recycled-content building materials, use of water conservation features (e.g., low-flow plumbing fixtures, graywater reuse, and low impact landscaping and irrigation design).

It is unclear from the ENF if all elements of the project will be owned and operated by the Proponent. Given the proposed development program, it is conceivable that certain portions of the facility may be leased out or operated by separate vendors. If space will be leased or owned/operated by parties other than the Proponent, the DEIR should include a draft Tenant Manual to influence tenants to fit-out and operate their spaces with sustainable and energy efficient designs and operating practices to reduce overall energy demand and GHG emissions. The Tenant Manual could be used as the basis for all third-party lease agreements associated with the project. The Tenant Manual should contain a set of guidelines that will in some cases require, or in other cases encourage, tenants to adopt appropriate sustainable design, energy efficiency, water use, water pollution control, and TDM commitments to the extent feasible as part of their respective lease agreements. The DEIR should describe technical and/or financial assistance the Proponent may provide in order to motivate potential future tenants to reduce GHG emissions.

The GHG analysis should include an evaluation of potential GHG emissions associated with mobile emissions sources. The DEIR should follow the guidance provided in the Policy for *Indirect Emissions from Transportation* and use data gathered as part of the mesoscale analysis (described below) to determine mobile emissions for Existing Conditions, No-Build, Full-Build 2025 Conditions, and Full-Build 2025 Conditions with Mitigation. Given the large volume of traffic anticipated by the project, the Proponent is expected to thoroughly explore means to improve traffic operations and reduce overall single occupancy vehicle trips. Improvements in traffic operations that reduce idling time and an overall reduction in vehicle trips can reduce overall project-related mobile source GHG reductions. The DEIR should also identify the corresponding emission reductions expected via implementation of the proposed TDM measures.

The DEIR should identify whether the project will include fleet vehicles. For the purposes of the GHG Policy, fleet vehicles are generally considered to be a source of direct GHG emissions from vehicles used by a project proponent in the everyday operation of a facility. In this case, these may include shuttle buses for employees and patrons, landscaping or catering vehicles, etc. The Proponent should consult the Policy for further direction on how to estimate direct mobile source GHG emissions and contact the MEPA office to discuss appropriate assumptions and methodology prior to conducting the analysis.

The DEIR should include a commitment to provide a self-certification to the MEPA Office that should be signed by an appropriate professional (e.g. engineer, architect, transportation planner, general contractor) indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve identified reductions in stationary source GHG emission and transportation-related measures, have been incorporated into the project.

Adaptation

The DEIR should provide a narrative that addresses how the project design accounts for climate change impacts and resiliency associated with sea level rise, increased storm frequency and duration, and extreme temperature events. Additionally, because the casino-resort is designed to serve a significant numbers of patrons and is located in a heavily populated area, the Proponent should consider measures to generate on-site power in the event of disruptions in service to the electrical grid due to severe storms. In addition to providing energy more efficiently, a CHP system can continue to supply off-grid power, heat and cooling during a power outage which could benefit the facility as well as the larger community.

Air Quality/Mesoscale Analysis

The project triggers MassDEP's review threshold requiring the Proponent to conduct an air quality mesoscale analysis of project related emissions. The purpose of the mesoscale analysis is to determine whether and to what extent the proposed project will increase the amount of volatile organic compounds (VOCs) and nitrogen oxides (NO_x,) emissions in the project area. The mesoscale analysis should be used to meet the GHG Policy requirement to quantify project-related CO_2 emissions and identify measures to avoid, minimize, and mitigate these emissions. The mesoscale analysis will also be used to determine if the project will be consistent with the Massachusetts State Implementation Plan (SIP).

The mesoscale analysis for VOCs, NO_x, and CO_2 must compare the indirect emissions from transportation sources under existing, No-Build, Full-Build 2025, and Fuill-Build 2025 with Mitigation conditions. The Proponent should conduct this mesoscale analysis and present its results in the DEIR. The Proponent should consult with MassDEP regarding modeling protocol prior to conducting this analysis. The current emission model should be used for this effort Emission increases due to the project must be mitigated and any subsequent environmental impact analysis should include the Proponent's commitment to implement these mitigation measures. The Build with Mitigation condition should reflect the off-site roadway improvements and TDM measures to be implemented by the Proponent to reduce vehicle trips to the project site. TDM measures and their ability to reduce trip generation rates will be evaluated in the DEIR as part of the transportation analysis.

The DEIR should identify certification and/or permits that likely will be required for proposed on-site energy sources. I refer the Proponent to comments from MassDEP and encourage the Proponent to consult with MassDEP regarding the applicability of their Air Pollution Control Regulations (310 CMR 7.00).

Water Supply

The projected water supply demand for the project is 120,000 GPD. The City of Brockton's major source of water is Silver Lake located in the Towns of Pembroke, Halifax, Plympton, and Kingston. Water management practices include water withdrawals from Silver Lake, the Monponsett Ponds, and Furnace Pond. I received numerous comments that identify concerns with increased water withdrawal and potential to degrade ecologically sensitive areas within these drinking water systems and that request analysis of alternative water supply sources. According to MassDEP comments, overuse of Silver Lake as a drinking water source resulted in a requirement that the City identify an alternative water source. The City contracted with Aquaria to supply water from its plant in Dighton.

The DEIR should quantify estimated potable and non-potable water demand for the project including data sources for the demand estimates, a breakdown of estimated water demand by type (i.e., potable, irrigation, ornamental (fountains, etc.), and any significant other uses. The DEIR should include a capacity analysis that identifies the City's registered and permitted water withdrawals and identifies whether the additional demand associated with the project will exceed the City's registered and permitted withdrawal capacity. If the proposed project will impact the ability of the City of Brockton to supply water for current needs, or its ability to supply future needs given available supply sources, the DEIR should include mitigation measures to offset these impacts. The DEIR should potential impacts associated with water use, including potential environmental impacts to Silver Lake, Monponsett Ponds, associated streams, and other upstream ecologically sensitive areas. As noted in MassDEP comments, the DEIR should evaluate use of the Aquaria plant as a water source through an agreement with the City that to offset the Project water use with an equal amount of water purchased from the Aquaria plant. At the MEPA consultation session, the Proponent noted that the City's Comprehensive Water Management Plan was in the process of being finalized. The DEIR should provide an update on this process and describe the project's consistency with the Plan. The DEIR should include site plans that show the proposed locations and sizes of new water mains (both within the site and off-site), indicate who will own and operate these water mains, and discuss how these water main improvements may be incorporated into roadway improvements proposed as part of the project (if applicable) to minimize traffic disruption during construction.

The DEIR should describe water conservation measures that will be implemented by the Proponent. Based on significant concerns expressed regarding water supply, I strongly encourage the Proponent to consider aggressive and innovative opportunities to reduce water demand, including use of greywater. Hotel uses provide numerous opportunities to reduce daily water demand by guests including the use of low-flow fixtures, modifications or the use of BMPs associated with laundry and food services, and guest education. As recommended by MassDEP, the DEIR should explore opportunities to reduce overall water demand through the use of greywater recycling for irrigation or ornamental uses. The DEIR should provide an analysis of potential water supply demand reductions achievable through the implementation of greywater recycling infrastructure, feasibility of implementing such a system, and if feasible, outline a commitment to include greywater recycling in final project design. If greywater recycling

infrastructure is not adopted as a mitigation measure, the DEIR should provide an explanation of why it will not be implemented.

Wastewater

Wastewater disposal is proposed by construction of a sewer extension and connection to an existing municipal system. The project is estimated to generate a total of 110,000 GPD of wastewater. The DEIR should quantify wastewater discharges and cite relevant data sources associated with each projected use on-site. As noted above, the DEIR should include a discussion of technologies or operational modifications that will be adopted by the Proponent to minimize water usage (and therefore reduce wastewater generation). As noted earlier in this Certificate, the DEIR should evaluate opportunities to use recycled wastewater (i.e., greywater) as a non-potable water supply source on-site. While this process will require additional infrastructure and permitting, overall benefits with regard to water supply and wastewater costs may provide both fiscal benefits in addition to environmental ones.

As the Commonwealth has very little experience with average daily and peak wastewater flows from this type of a facility, MassDEP recommends that wastewater flow be monitored in order to better understand the average and peak flows from the facility to determine if infrastructure upgrades are necessary to collect and convey the project generated wastewater. I encourage the Proponent to consult with MassDEP and the City and to provide a monitoring program for review in the DEIR. The DEIR should provide information on how the project will comply with applicable Infiltration/Inflow (I/I) removal requirements.

The DEIR should include site plans that show the proposed locations and sizes of new wastewater mains (both within the site and off-site), indicate who will own and operate these wastewater mains, identify the location of the interconnecting sewer interceptor, clarify whether the interceptor will be upgraded and if applicable, and describe any environmental impacts associated with the construction and operation of the interceptor. It should address how improvements may be incorporated into roadway improvements proposed as part of the project to minimize traffic disruption during construction. The DEIR should quantify any wetland impacts associated with proposed improvements, and identify erosion and sedimentation control BMPs during the construction period.

Construction Period Impacts

The EIR should include a discussion of construction phasing, evaluate potential impacts associated with construction activities (including but not limited to noise, vibration, dust, and traffic flow disruptions) and propose feasible measures to avoid or eliminate these impacts. The DEIR should clarify whether a solid waste management plan will be prepared for the project and if so whether it will contain a minimum reuse/recycling goal. The DEIR should also indicate whether a Beneficial Use Determination (BUD) will be required for any proposed reuse/recycling.

Because the project is located adjacent to residential areas, I encourage the Proponent to mitigate the construction period impacts of diesel emissions to the maximum extent feasible.

Comments from MassDEP request that construction equipment meet Tier 4 emission standards for off-road equipment. This mitigation may be achieved through the installation of after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs), or the use of equipment that meets Tier 3 or Tier 4 emission standards for non-road construction equipment. I refer the Proponent to MassDEP's comments regarding construction-related measures which provide additional guidance on reducing construction emissions. The DEIR should indicate measures that will be incorporated into the project.

Mitigation and Section 61 Findings

The DEIR should include a separate chapter that identifies all mitigation measures. This chapter should also include separate draft Section 61 Findings for each State Agency that will issue permits for the project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and include a schedule for implementation. In addition, it should include a commitment to provide a self-certification document indicating that GHG measures have been incorporated into the project.

Response to Comments

The DEIR should contain a copy of this Certificate and a copy of each comment letter received. To ensure that the issues raised by commenters are addressed, the DEIR should include responses to comments. This directive is not intended to, nor shall it be construed to, enlarge the scope of the DEIR beyond what has been expressly identified in this certificate.

Circulation

In accordance with Section 11.16 of the MEPA Regulations and as modified by this Certificate, the Proponent should circulate a hard copy of the DEIR to each State and City Agency from which the Proponent will seek permits or approvals and to each of the surrounding municipalities that submitted comments. The Proponent must circulate a copy of the DEIR to all other parties that submitted individual written comments. Per 301 CMR 11.16(5), the Proponent may circulate copies of the DEIR to these other parties in CD-ROM format or by directing commenters to a project website address. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer and distribute these upon request on a first-come, first-served basis. The Proponent should send correspondence accompanying the CD-ROM or website address indicating that hard copies are available upon request, noting relevant comment deadlines, and include appropriate addresses for submission of comments. A CD-ROM copy of the filing should also be provided to the MEPA Office. In addition, a copy of the DEIR should be made available for public review at the Brockton, Easton, Stoughton, Avon, Holbrook, Abington, Whitman, East Bridgewater, and West Bridgewater public libraries.

July 10, 2015
Date

Matthew A. Beaton

Comments received:

06/02/2015	Town of Easton – Easton Board of Selectmen
06/10/2015	Town of Halifax – Town Administrator (Charlie Seelig)
06/19/2015	Division of Fisheries & Wildlife
06/19/2015	Janet Zeoli
06/19/2015	John and Jacqueline Messia
n.d.	G. Storbrook
06/26/2015	Brockton Area Transit Authority
06/30/2015	MassAudubon
06/30/2015	Department of Energy Resources (DOER)
06/30/2015	BSC Group (on behalf of the City of Brockton)
06/30/2015	Old Colony Planning Council (OCPC)
06/30/2015	Department of Transportation (MassDOT)
06/30/2015	Taunton River Water Alliance, Inc. (TRWA)
06/30/2015	Department of Environmental Protection – Southeast Regional Office (MassDEP)
06/24/2015	Brockton Conservation Commission
06/26/2015	Stephen Ameduri

MAB/PC/pc

Telephone 508-230-0501
Fax 508-230-0519

Office of the Board of Selectmen
136 Elm Street
North Easton, Massachusetts 02356

June 2, 2015

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
Attn: MEPA Office

Re: Environmental Notification Form
Proposed Category 1 Gaming Establishment
Belmont Street, West Street & Forest Avenue
Brockton, Massachusetts

Dear Secretary Beaton:

On behalf of the Town of Easton I am writing to provide comments on the Environmental Notification Form (ENF) for the proposed Category 1 Gaming Establishment at Belmont Street, West Street & Forest Avenue in Brockton, Massachusetts. Our comments are specific to anticipated Transportation, Conservation and Wastewater issues that would arise as a result of the casino development and which could adversely impact Easton and the region.

Transportation

The Traffic Impact and Access Study should be expanded in the Draft Environmental Impact Report to include greater detail regarding local conditions and to address the impact of the projected increased traffic volume on a broader geographical area and on surrounding communities.

The Traffic Impact and Access Study (TIAS) included as part of the ENF examines traffic impacts related to a Category 1 Casino with approximately 3,000 gaming positions and a 300 hotel room resort hotel that includes a spa, fitness center, and approximately 25,000 square feet of event and entertainment space. It was noted that the proposed structure will have approximately 512,000 square feet of floor area, though no specifics were provided regarding the square footage of gaming area.

To examine existing traffic conditions the TIAS utilized volume and speed data discussed as part of a 2014 Southwest Brockton Corridor Study by the Old Colony Planning Council. Intersection turning movement counts were collected in February 2015. Given the large amount of snow that New England received during the winter of 2014/2015, it is expected that residual snowbanks may have impacted these traffic volume counts. New data should be collected as part of the Draft Environmental Impact Report for comparison purposes. It should be noted that the proposed Brockton Fairgrounds site is located directly adjacent to Campanelli Stadium, which houses the Brockton Rox professional baseball team, Brockton High School and several

other large commercial parcels. Though the high school may operate with different peak hours than the proposed casino, it is understood that the Brockton Rox utilize the high school parking lot during game days. The baseball team currently plays games throughout the week, typically in the evening, with some games scheduled on Friday and Saturday nights, when the casino traffic is expected to be most noticeable. The DEIR should discuss the impacts to the roadway network in relation to the baseball stadium and high school. Coordination efforts between these adjacent traffic generations should also be discussed.

The TIAS examined four existing casino locations to determine trip generation based on the number of gaming positions. It was determined that the proposed site will have a Friday peak hour trip generation rate of approximately 0.32 trips per position and a Saturday peak hour generation rate of approximately 0.37 trips per position. These rates were compared with those for three other nearby casino proposals as seen in Table 1.

Table 1: Trip Generation Comparison

Casino	Gaming Positions	Friday Peak (Trips/Position)	Saturday Peak (Trips/Position)
Project First Light[1]	4,500	0.38	-
Wynn Everett[2]	4,580	0.29	0.33
Mohegan Sun MA[3]	5,000	0.40	0.41
Average	***4,695***	***0.35***	***0.37***
Brockton	*3,000*	*0.32*	*0.37*

The Brockton Fairgrounds location currently proposes approximately 3,000 gaming positions which is much lower than the three other compared casinos. According to the data listed in the table, the trip generation rates used in the TIAS are slightly lower than the average trip generation rates for the three examined casino proposals. Each of the three nearby casinos also examined modal split which was not examined in this TIAS. Given the location of the Brockton Fairgrounds it is expected that most patrons and employees will drive to the site, however the potential for other types of modes should be discussed in the DEIR; particularly in regards to the Brockton Area Transit (BAT), the MBTA Commuter Rail, and private charter bus companies.

It was projected that the proposed casino will generate an additional 12,150 Average Daily Trips (ADT) during a typical weekday and 17,358 ADT on Fridays. The TIAS utilized a gravity model to determine trip distribution percentages for vehicles traveling to/from the site. It was determined that most patrons/employees will utilize Route 24 from the north (42%) and south (36%), while only 2% are projected to/from the west via Route 123, Route 138, and Route 106. The 2% trip distribution should be quantified due to the major routes that could be used for the proposed casino related trips. It should be noted that the TIAS only examined intersections and roadways that provide direct access to the project site. The study does not consider secondary and spillover impacts the additional vehicle trips may have on neighboring communities. Currently when congestion occurs on Route 24, travelers exit the highway and use the arterial roads as alternate routes. These arterial roads, which include Routes 106, 138 and 27, become

[1] Project First Light FEIR, dated December 2014 – Taunton, MA
[2] Wynn Everett SFEIR, dated February 2015 – Everett, MA
[3] Mohegan Sun Massachusetts SDEIR, dated June 2014 – Revere, MA

congested and overburdened resulting in congestion and delays along the roadways feeding into the arterial roads. The DEIR should address the impact of the projected increased traffic volume on a broader geographical area and on surrounding communities. Appropriate mitigations measures should also be provided to mitigate the impacted roads and intersections.

Wetlands, Waterways, and Tidelands

The proponent does not adequately address the permitting, stormwater management and watershed impacts.

The applicant has indicated the project does not require any state permits related to wetlands, waterways or tidelands. In fact, traffic improvements are proposed at the intersection of Belmont (route 123) and West Street. West Meadow Brook daylights on the south side of Belmont Street in this area and this section of roadway appears to be within the Zone A Flood Hazard Area. Therefore it appears the work would require a permit from the Brockton Conservation Commission

As proposed, the project would result in an increase of over ten acres of new impervious surface. The ENF includes only a brief section on potential stormwater management elements for the site, focusing on groundwater infiltration. Should the project proponent intend to tie into the City of Brockton's existing stormwater collection system, it is safe to assume, stormwater will be discharged into one or more of the City's surface water bodies. Brockton is located entirely within the Taunton River Watershed which has been classified as a medium stressed basin due either to quantity, quality, or habitat factors. Therefore, the Draft Environmental Impact Report should describe each of the elements of the proposed stormwater management system and how they will improve stormwater management at the site versus existing conditions.

Brockton sits at the headwaters to the Taunton River Watershed. The executive summary of the Taunton River Watershed Study issued by Horsley Witten in 2008 notes the increased demand on the watershed's natural resources as communities south of Boston continue to expand. The Study stresses "the need for long-term innovative and pragmatic planning to ensure the long term availability of clean water to meet both human and ecological needs". The Draft Environmental Impact Report should address not only the potential impacts to local water resources, but to the watershed as a whole.

Water and Wastewater

The Draft Environmental Impact Report needs to provide clear evidence the Casino's water use and wastewater generation will not impact the ability of either the desalinization plant or the wastewater treatment plant to meet the regional needs for which each has been constructed and permitted.

The ENF indicates the Casino will use more than 120,000 gallons of water per day and discharge over 110,000 gallons of wastewater per day. The City of Brockton's public drinking water is substantially drawn from Silver Lake located within the Jones River Watershed in Kingston. Several years ago, Brockton entered into a contract with Aquaria Water, LLC to purchase potable water from the desalinization plant they constructed in Dighton on the Taunton River. The purpose for constructing the desalinization plant was to provide Brockton with a water supply

that would allow the city to reduce its dependency on Silver Lake, thus relieving stress on the Jones River Watershed. Water from the desalinization plant would be available to surrounding communities if and when needed.

Brockton's Advanced Waterwater Recovery Facility is a regional wastewater treatment facility currently serving the residents and businesses of Brockton, as well as the towns of Whitman and Abington. Easton's Phase IV Comprehensive Wastewater Management Plan (CWMP) and Final Environmental Impact Report (EEA# 13418) issued in March 2014 identifies the Brockton Advanced Water Reclamation Facility as one of the two regional alternatives capable of accepting wastewater from Easton. In a Notice of Project Change (NPC) under MEPA Environmental Notification Form (ENF #13109), the City's engineering consultant CDM-Smith recommended Brockton serve the regional needs of surrounding communities, including Easton's short-term and long-term needs (100,000 and 450,000 gpd respectfully). This recommendation was made based on upgrades being made to the Brockton facility and a reallocation of treatment capacity. On October 26, 2012, a Secretary's Certificate on this NPC was issued, agreeing with the proposed changes to Brockton's wastewater flow allocation and allowing an increased allocation to Easton. The ENF notes in Land Section III. 2) that "relative to the water and sewer capacity statements, the City has since upgraded both the water and sewer municipal plants and both have sufficient capacity for the Resort Casino as well as reserve expansion capacity for future development".

Projects that boost the City of Brockton's economic viability and create economic activity and jobs should benefit the entire region. As such, this project should be a catalyst for regional cooperation and must not overburden limited resources shared by the region at large. Thank you for the opportunity to comment and for your careful consideration of the potential impacts of this project.

Sincerely,

Daniel Murphy, Chair
Easton Board of Selectmen

TOWN OF HALIFAX
Commonwealth of Massachusetts

Town Administrator	Telephone:	781-294-1316
499 Plymouth Street	Fax:	781-294-7684
Halifax, MA 02338	E-mail:	cseelig@town.halifax.ma.us

June 10, 2015

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15370
100 Cambridge Street, Suite 900
Boston MA 02114

Dear Ms. Czepiga,

The Halifax Board of Selectmen has been notified about the Environmental Notification Form filed by Mass Gaming & Entertainment, LLC for a gaming establishment in Brockton. The proposal states that the facility will use 120,000 gallons of water each day. The primary sources of water for the City of Brockton are Silver Lake on the border between Halifax and Kingston and Monponsett Pond in Halifax and Hanson. The increase in annual water usage due to this facility will be over 43 million gallons. The City of Brockton diverts water from Monponsett Pond to Silver Lake because the supply of water in Silver Lake is inadequate to meet the needs of the residents and businesses in Brockton. An increase in the amount diverted each year because of the needs of the casino will be detrimental to the environmental health of Monponsett Pond. During most of last summer and into the fall, the Pond was closed to swimming and many other forms of recreation because the water quality has deteriorated. Given this information, the Board, at its meeting on Tuesday, June 9 voted to comment that any permit for the casino should include a stipulation that the casino operators and owners, along with the City of Brockton, provide sufficient funding to improve the water quality of Monponsett Pond to a level so that it can be used for swimming, boating, fishing, and other uses throughout the year.

Sincerely,

Charlie Seelig
Halifax Town Administrator

cc: Governor Baker, State Senator Kennedy, State Representative Calter, Old Colony Planning Council, Hanson Board of Selectmen

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

MassWildlife

Jack Buckley, *Director*

June 19, 2015

Secretary Matthew A. Beaton
Executive Office of Environmental Affairs
Attention: MEPA Office, Page Czepiga, EEA No. 15370
100 Cambridge St.
Boston, Massachusetts 02114

Project Name:	Proposed Category 1 Gaming Establishment
Proponent:	Mass Gaming and Entertainment, LLC
Location:	Brockton, MA
Document Reviewed:	Environmental Notification Form (ENF)
Project Description:	Development of resort casino and associated appurtenances
NHESP Tracking No.	15-34505

Dear Secretary Beaton:

The Massachusetts Division of Fisheries & Wildlife (Division) has reviewed the Environmental Notification Form (ENF) for the Proposed Category 1 Gaming Establishment in Brockton, MA and would like to offer the following comments.

While the Division appreciates the proponent's desire to obtain LEED Gold Certification, the proposed development of a resort casino at the project site has the potential to significantly increase the reliance on the City of Brockton's water supply. Currently, the City of Brockton's water management diverts water from the Monponsett Ponds (located in Halifax and Hanson) to Silver Lake (located in Pembroke, Halifax, Plympton, and Kingston). The City of Brockton's current water withdrawal diverts water from ecologically sensitive areas such as Stump Brook in Halifax and Jones River in Kingston by reducing flow by approximately two thirds of the expected natural regime. Reduced water levels are impacting these river systems and the quality of habitat for native fish and wildlife, including some rare species. Currently, there are a number of restoration efforts underway by the Division of Ecological Restoration, Division of Marine Fisheries, the Nature Conservancy and other entities to address the water quality and hydrological connections (e.g. fish passage) within these river systems. As a significant landowner abutting these important water resources (Burrage Pond Wildlife Management Area - 1,638 acres in Hanson and Halifax), the Division is concerned that increased water withdrawal will further degrade these systems and undermine the on-going restoration efforts. Therefore, the Division urges the consideration of alternative and more sustainable sources of water such as the Aquarion Desalinization Plant in Dighton, MA.

The Division appreciates the opportunity to provide comment on this project. If you have any questions or need additional information, please contact Eve Schlüter, Ph.D., Chief of Regulatory Review, at (508) 389-6346 or eve.schluter@state.ma.us.

Sincerely,

Jack Buckley
Director

cc: Brockton Board of Selectmen
Brockton Conservation Commission
Brockton Planning Department
David Pierce, Acting Director of the MA Division of Marine Fisheries
Tim Purinton, Director of the MA Division of Ecological Restoration
DEP Southeastern Regional Office, MEPA Coordinator

June 19, 2015

Comment Re: Casino at Brockton Fairgrounds

Proposed Casino would not provide what's promised for the City of Brockton. It's not exactly a "destination location" that would be recommended by Triple AAA. Traffic would always be a problem. We can't even get out of the side streets onto Belmont Street, as it is, on a busy day.

I support more jobs for residents from any source, but this area is not appropriate. We have a beautiful High School, Heavy residential area and a Regional Veteran's Hospital. A casino would increase existing problems...

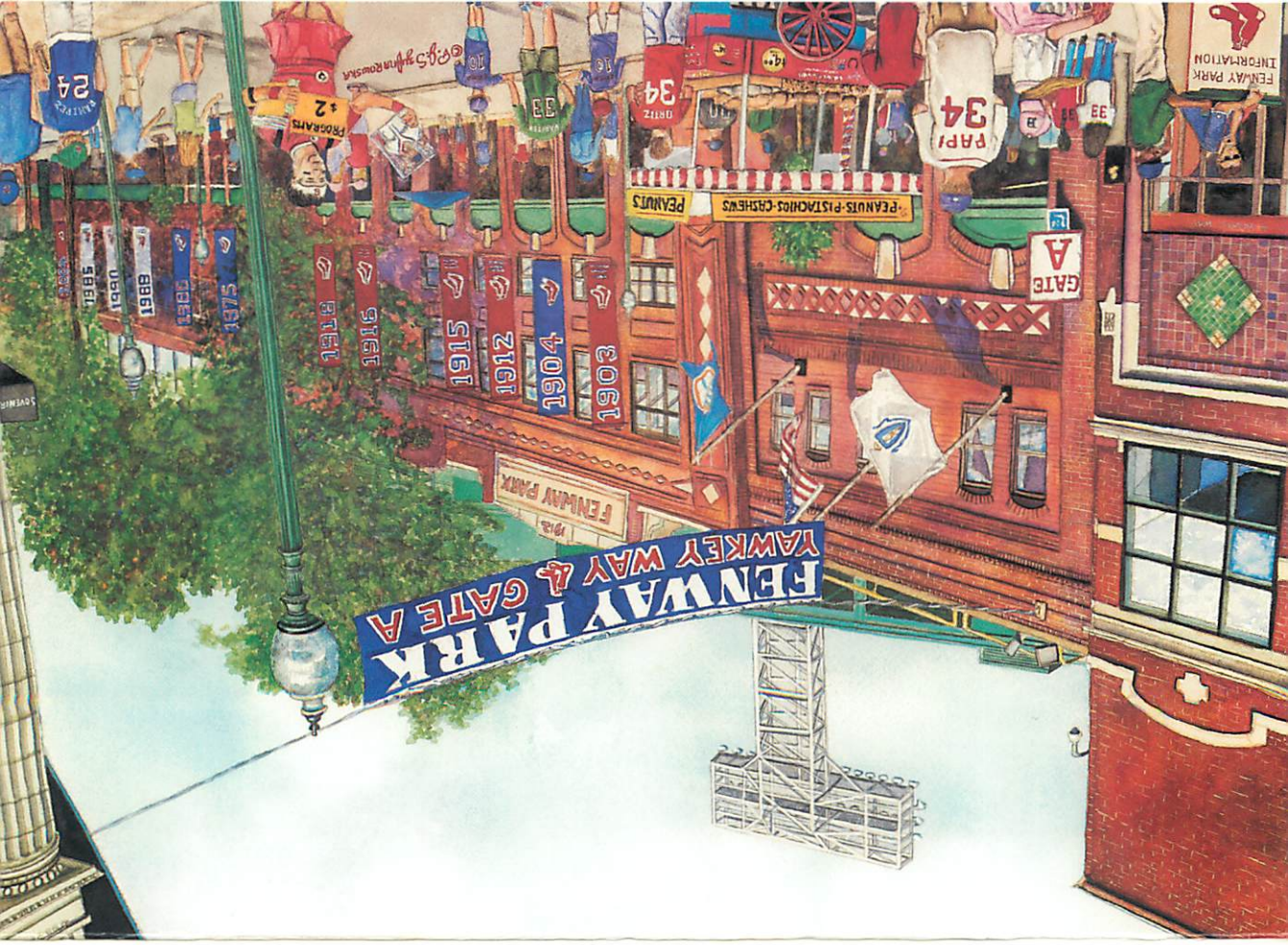
Put the "every day thinking caps" on..

Wouldn't a Casino/Hotel be nicer by the water?? open air .. fine dining .. a nicer view .. reasons to want to stay in the Hotel. Buses could be provided from Brockton for seniors and everyone.

No one uses good old common sense any more. It's always political and never for the betterment of the community

I live right across the street from proposed site. The family and other families have lived here for years and endured traffic. We need something nice to enhance this great City ...

Janet Zeoli



Yawkey Way ~ Boston

Fenway Park, home to the Boston Red Sox, is located at 4 Yawkey Way in Boston. The Way is named after Tom and Jean Yawkey, who owned the team for 44 seasons, longer than anyone in baseball history. Tom Yawkey became president of the Red Sox in 1933, and his wife Jean became president of the club following Tom's death at age 73. The couple created several ongoing philanthropic endeavors offering financial support to the Boys and Girls clubs of Boston, MA General Hospital, the Jimmy Fund / Dana Farber Cancer Institute, and scholarship funds at Boston College.

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Boston, MA

YAW NT 250

We know the effect will be bad on the middle and High Schools, and the children and our parish church, also.

Please stand with us & vote down (no) this proposal.

P.S.) We want to stay in our present home!

Sincerely,

John and Jacqueline Messia

Messia
9 Emory St
Brockton, MA 02301

June 19 2015

Dear Mr. Beaton,

We are writing you today, to comment on the proposed Casino, in the City of Brockton.

We are residents on the West-side near the fairgrounds for 40+ yrs., and are senior citizens.

If approved, the impact that this project will be distastrous to our area & city. We have big traffic problems now, and with the large amount of vehicles coming in here, air pollution is certainly a big factor, & auto accidents.

The Rox stadium has concerts & fireworks & loud games all summer

Our area was a wonderful area to live, but now, we have many strangers coming through our streets, dealing drugs & tossing their garbage out, along with all the noise pollution.

Messia
9 Emory St
Brockton, MA 02301

Just a note

To Whom It May Concern

As a Morse Ave resident for over forty years I've seen the traffic on our street getting progressively worse each year.

Morse Ave is a cutoff to avoid West street etc.

I don't think a Cosino is a proper place for a residential area.

There is only so much they can do to eliminate this, no matter what they say.

Mrs G Stoddock

FY15 Lg NP

Brockton Area Transit Authority
155 Court Street, Brockton, MA 02302-4608
telephone 508-588-2240
fax 508-584-1437
Bill Carpenter, Advisory Board Chairman
Reinald G. Ledoux, Jr., Administrator

bat

June 26, 2015

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15370
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Beaton:

Re: EEA#15370 – Proposed Category 1 Gaming Establishment Brockton

The Brockton Area Transit Authority (BAT) hereby offers comments related to the Environmental Notification Form (ENF) filed by Bohler Engineering for Mass Gaming & Entertainment, LLC related to construction and operation of a casino, hotel and entertainment complex to be located in the City of Brockton.

BAT feels that the proposed project has the potential to provide a significant positive economic impact in the community through the provision of much needed jobs, a revenue agreement between the host community and project proponent intended to assist in funding schools, public safety and infrastructure improvements.

Whereas, BAT has not yet been contacted by the project proponent or his consultant, BAT strongly recommends that the proponent work with BAT to analyze and ensure that public transportation access will be an element of this project. The proponent should perform an analysis that is consistent with MassDOT's GreenDOT and should establish "Mode Shift" goals that reflect the region, intended workforce and customer base.

BAT feels that transit mitigation should be an important consideration subject to proper analysis that would be conducted during the Environmental Impact Report (EIR) phase. Potential impacts for consideration should include but not limited to; traffic signal prioritization, real time transit information, passenger amenities, site configuration to accommodate regional transit, paratransit, intercity coach, pedestrian and bicycle amenities and access, ease of navigation for disable individuals, communication elements considering the Limited English

bat

Proficiency (LEP) population needs with the region. This project will also require BAT to redesign its present route structure and will likely require additional rolling stock to meet the needs of the intended workforce and customer base.

Again, BAT feels that this project has the potential to provide a substantial positive economic impact for the City of Brockton and look forward to working with the project proponent, MEPA, MassDOT and the City of Brockton to ensure the success of this project.

Very truly yours,

Reinald G. Ledoux, Jr.
Administrator

RGL:kr

Cc: Page Czepiga, Executive Office of Energy and Environmental Affairs
David Mohler, MassDOT
Michael Lambert, MassDOT
Mayor Bill Carpenter, City of Brockton
Pasquale Ciaramella, Old Colony Planning Council

Mass Audubon
Advocacy Department
Six Beacon St., Suite1025 ▲ Boston, Massachusetts 02108
tel 617-962-5187 ▲ email jclarke@massaudubon.org

June 30, 2015

Secretary Matthew Beaton
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office, EEA #15370
100 Cambridge Street, Suite 900
Boston, MA 02114

Via Email: page.czepiga@state.ma.us

Re: **EOEEA# 15370 Proposed Category 1 Gaming Establishment, Brockton**

Dear Secretary Beaton:

On behalf of Mass Audubon, I submit the following comments on the Environmental Notification Form (ENF) for the proposed 258,000 square foot casino resort project on the location of the Brockton fairgrounds. This is a redevelopment project, and the ENF indicates an intent to meet LEED Gold standards, including site design, water and energy efficiency, and materials and resources credits. The ENF indicates that stormwater management on the site will be improved compared to existing conditions, with the use of Low Impact Development techniques. It also indicates that the amount of impervious surface will be increased by nearly 13 acres to a total of 32.1 acres, water use will be increased by 120,000 gallons per day, and traffic will be increased by up to 17,358 trips per day.

Mass Audubon requests that the scope for the Environmental Impact Report (EIR) for this project be comprehensive and address all aspects of environmental impacts including all mitigation commitments proposed for the gaming license and all other applicable state permits. Details of water supply, stormwater management, and wastewater management need to be presented, demonstrating improvements over existing conditions.

Mass Audubon does not have a position on gambling, gaming, or casinos in general. We do, however, have serious concerns and a variety of suggestions regarding development of large scale destination-type resort casino complexes with a goal to avoid, minimize, and/or mitigate where possible the environmental impacts of such major development projects on the environment. The law that established gaming in Massachusetts (Chapt. 194 of the Acts of 2011) set mandatory and optional qualifying criteria for the Gaming Commission to consider when reviewing and deciding on gaming applications. Mass Audubon believes that, to the fullest extent possible, the highest standards of green development and sustainability should be required in all state and local licensing and permitting of gaming facilities. The gaming law also requires the establishment of a Community Mitigation Fund. The EIR should fully document proposed funding for all impacts to Brockton and surrounding communities and demonstrate the manner in which those impacts will be addressed.

Water Resources Management

The ENF claims that ample water supply and sewer capacity is available due to recent upgrades in City of Brockton infrastructure. This glosses over serious, long-standing environmental impacts associated with Brockton's water supply and wastewater management systems. The Monponsett Pond/Silver Lake water supply system remains chronically stressed while the City's Comprehensive Water Management Plan required by the Department of Environmental Protection to be completed in 2007 has not been finalized. The alternative water supply developed through the Aquaria desalinization plant is not being utilized in a manner to reduce those stresses. Mass Audubon's Stump Brook Wildlife Sanctuary is immediately downstream of Monponsett Pond and suffers from frequent lack of natural flows due to water diversions from the pond by Brockton. Other ecologically significant water resources in the Taunton, Jones, and South Coastal watersheds are also impacted by Brockton's water supply system.

The draft NPDES permit for Brockton's Advanced Water Reclamation Facility, (EPA NPDES permit #MA0101010) indicates that significant decreases in nutrient loadings are needed in order for the Taunton River to meet water quality standards. The Brockton wastewater facility contributes 13% of the nitrogen load to the Taunton River and Mount Hope Bay estuary. Even with recent upgrades, further reductions in nitrogen loading need to be made in both wastewater and stormwater flows.

The EIR should fully describe all aspects of water, wastewater, and stormwater management. Mass Audubon supports the use of LID design for this and other projects, as well as the proposed upgrading of on-site sewer lines in order to eliminate infiltration and inflow. Additional mitigation commitments including reductions in impacts associated with water supply practices should also be required for this project.

Thank you for considering these comments.

Sincerely,

John J. Clarke
Director of Public Policy & Government Relations

cc: Stephen Martorano, Bohler Engineering
Kathy Baskin, Massachusetts Water Resources Commission
DEP SERO
Taunton River Watershed Alliance
Jones River Watershed Association

Mass Audubon works to protect the nature of Massachusetts for people and wildlife. Together with more than 100,000 members, we care for 35,000 acres of conservation land, provide school, camp, and other educational programs for 225,000 children and adults annually, and advocate for sound environmental policies at local, state, and federal levels. Founded in 1896 by two inspirational women who were committed to the protection of birds, Mass Audubon is now one of the largest and most prominent conservation organizations in New England. Today we are respected for our sound science, successful advocacy, and innovative approaches to connecting people and nature. Each year, our statewide network of wildlife sanctuaries welcomes nearly half a million visitors of all ages, abilities, and backgrounds and serves as the base for our work. To support these important efforts, call 800-AUDUBON (800-283-8266) or visit www.massaudubon.org.

Protecting the Nature of Massachusetts

30 June 2015
Proposed Category 1 Gaming Establishment, Brockton Massachusetts
ENF - Stationary GHG Sources
DOER Comments
P Ormond

The DOER notes that, should this project be required to file an EIR, a GHG analysis which complies with the MEPA GHG Policy and Protocol (the Policy) will be required.

GHG Policy and DOER Role:

In general, the Policy requires that:

- GHG emissions be identified and quantified;

- The proposed design incorporate ways to avoid, minimize, or mitigate GHG emissions;

The general intent of the DOER review is to:

- Ensure that the content submitted conforms to the application of the MEPA GHG Policy and Protocol (the Policy) as have been agreed upon for this project, and

- Highlight design and proposed mitigation measures which require further clarification and/or present opportunities for further reductions in both energy usage and GHG emissions.

Effective Code:

Effective codes to be applied to this project are:

- *For buildings with fewer than 3 stories zoned as residential:* 2012 IECC Residential Provisions

- *For buildings zoned as commercial and all buildings zoned as residential over 3 stories*: Either (a) 2012 IECC Commercial Provisions, or (b) 2010 ASHRAE 90.1 Standard.

Complying with the Policy:

With respect to the stationary sources of GHG, the next future submission should comply fully with MEPA's GHG Policy and Protocol (the Policy), and include at minimum the following information:

- *Building usage and size:* A description of the proposed project building usage and size, including a site plan and elevation views, should be included. The

Commercial Building Energy Consumption Survey (CBECS) and the Residential Energy Consumption Survey (RECS) provide recognized building usage categories, as well as useful Energy Use Intensity (EUI) benchmarks. In order to expedite the review, a table similar to the example below should be included for each proposed building:

Example
Building A (one table per building)

Conditioned Space			Benchmark EUI (kBtu/sf) from 2003 CBECS and 2005 RECS	
CBECs or RECs Usage	Area (sq ft)	% total	per Area	Weighted Area
Office	460,000	90%	115	104
Retail	15,000	3%	74	2
Residential	35,000	7%	76.3	5
Total	**510,000**			**111**

- *Data Centers:* A description of any data centers (either stand-alone building data centers, or data centers within any planned office space) should be included, including the approximate footprint size and information about the energy consumption and data center HVAC systems.

- *Site Improvements:* A description of any other site improvements which will consume energy, including; parking lot and street lighting; unconditioned garage ventilation systems, sidewalk ice melting systems, etc.

- *HVAC Systems, Building Envelop, and Mitigation measures*. A description of the HVAC systems, building envelop details and mitigation measures evaluated should be included. Mitigation measures should be categorized as: adopted; under further consideration; to be considered in a later stage; or rejected. Discussion of the reasons for not adopting a mitigation measure should be included. A list of suggested energy and GHG mitigation measures is included as an appendix to the Policy. The DOER urges the proponent to refer to these measures for consideration.

In order to expedite the DOER review a table similar to the example below should be included:

Measure/Area	2010 90.1 Prescriptive or App.G, or Other	Proposed	% Improvement	Comment
Roof Assembly U-value (Btu/hr-Ft^2-f)				
Bldg 1	0.048	0.040	17%	
Bldg 2	0.055	0.051	7%	
Area Window/Area Wall (%)				
Bldg 1	0.4	0.54	-35%	
Bldg 2	0.4	0.30	25%	
Window U-value (Btu/hr-Ft^2-f)				
Bldg 1	0.55	0.47	15%	
Bldg 2	0.55	0.40	27%	
AC Efficiency (EER)				
Bldg 1	13.5	14.5	7%	
Bldg 2	11.7	14.9	27%	
ERV Effectiveness (%)				
Bldg 1	none	none	–	
Bldg 2	none	none	–	
DCV (%)				
Bldg 1	none	none	–	
Bldg 2	none	none	–	
Boiler (% efficiency)				
Bldg 1	0.8	0.93	16%	
Bldg 2	0.8	0.93	16%	
LPD (Watts/sq ft)				
Bldg 1	1.0	0.7	30%	
Bldg 2	0.9	0.8	11%	

- *Building Envelop R-Value and U-Factors*. A description of the proposed building envelop assembly: report both component R-values and whole assembly U-factor. Utilize the pre-calculated relationships between R-Value and U-factor contained in Appendix A of the applicable code (Appendix A is the applicable appendix in both ASHRAE and IECC).

  Baseline buildings' total wall (and roof) assemblies shall match the applicable U value as required in Appendix G, table G3.1 part 5b of the code.

- *Building Energy Model Information.* Submit the following:

- A description of the building energy simulation model and procedures utilized.
- A detailed and complete table of modeling inputs showing the item and the input value for both the base and as-designed scenarios. The area of the building should be included.
- The output of the model showing the monthly and annual energy consumption, totalized and by major end use system.
- Project modeling files are to be submitted to the DOER with the submittal on a flash drive or may be transmitted via electronic file transfer to paul.ormond@massmail.state.ma.us.
- Separate "side calcs" may be required for non-building energy consuming site improvements which are not included in the building energy modeling software (e.g. parking lot lighting and parking garage ventilation).

Renewables

In addition to efficiency opportunities which may exist in the building and site design (see Appendix A of the Policy), each project offers opportunities to take advantage of renewable strategies, including:

- Solar PV, on rooftops, ground mounted, or as parking spot canopies
- Solar thermal, typically on rooftops
- Combined heat and power (CHP)

Renewable strategies can often include financial incentives, such as tax and renewable energy credits and/or can be partly or wholly financed by 3rd party entities. We encourage the proponent to investigate each of the strategies, including financial benefits, to evaluate their potential use on the project.

BSC GROUP
thoughtfully transforming our environments

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June 30, 2015

Page Czepiga, Environmental Analyst
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston MA 02114

RE: Proposed Category 1 Gaming Establishment - Brockton
EEA#15370
ENF Response - Traffic and Utility Comments

Dear Ms. Czepiga:

On behalf of the City of Brockton, BSC Group Inc. (BSC) has performed traffic and utility peer review services for the proposed Category 1 Casino to be located at the Brockton Fairgrounds site along Belmont Street in Brockton, Massachusetts. As part of this review, BSC has performed the following:

- Reviewed the report titled "Traffic Impact and Access Study, Environmental Notification Form – Transportation Component, Proposed Category 1 Casino, Brockton Fairgrounds, Brockton, Massachusetts" prepared by MDM Transportation Consultants, Inc. (MDM), dated April 17, 2015
- Reviewed the utility related sections of the Environmental Notification Form (ENF)
- Attended the MEPA scoping session on June 15, 2015 and associated site visit to gain additional understanding of the project scope regarding utilities

The proposed project, as described in the report, involves redeveloping the Brockton Fairgrounds for a Category 1 casino consisting of approximately 3,000 gaming positions. Other facilities associated with the development include restaurants, an approximately 300-room resort hotel with fitness center, a spa, a pool, and approximately 25,000 SF of multi-function event and entertainment space. On-site parking will include approximately 3,000 spaces, inclusive of surface and structured parking, as well as valet service.

Note that several permits will be required for the project to move forward. These permits include, but are not limited to, a Highway Access Permit from MassDOT, a Category 1 Gaming License from the Massachusetts Gaming Commission, as well as other various local permits.

TRAFFIC REVIEW

The Proponent indicated that the Traffic Impact and Access Study (TIAS) generally conforms to the joint Commonwealth of Massachusetts Executive Office of Energy & Environmental Affairs / Massachusetts Department of Transportation (EEA/MassDOT) traffic study guidelines. BSC's review is based on these guidelines as well as standard engineering practices.

The following specific comments regarding the TIAS cover topics including, but not limited to, the study area, baseline traffic volumes, trip generation and distribution, and traffic operations analysis. The review also comments on safety, non-vehicular modes of travel, and future mitigation measures. The comments follow the outline and numbering of the sections that were provided in the TIAS.

General Comments

1. For ease of review, the Proponent should provide references throughout the report to the various data contained in the Appendix.

1.3 Study Area

2. The TIAS includes 21 locations in the Project study area. Based on our review, the Proponent should consider expanding the study area to include at a minimum the locations listed below. The Proponent should also add locations along the side streets in between Belmont Street and West Elm Street to include vehicles cutting between these streets when traffic is backed up in these areas.

    - Pleasant Street at West Street
    - Belmont Street at Main Street
    - Belmont Street at Warren Street
    - Belmont Street at Pearl Street
    - Belmont Street at Manomet Street
    - Belmont Street at Ash Street
    - Forest Avenue at Main Street
    - Torrey Street at Pearl Street
    - West Street at West Elm Street
    - Warren Street at Highland Street
    - Warren Street at Legion Parkway
    - Warren Street at Green Street
    - Main Street at Centre Street
    - Main Street at Green Street/Petronelli Way
    - Main Street at School Street
    - Montello Street at Centre Street
    - Montello Street at School Street
    - Montello Street at Crescent Street
    - Centre Street at Commercial Street
    - School Street at Crescent Street

- School Street at Commercial Street
- Reynolds Memorial Highway (Route 27) at Westgate Drive / Christy's Drive
- Reynolds Memorial Highway (Route 27) at eastern Westgate Drive

As discussed further below under "Trip Distribution and Assignment", the Proponent should review the trip distribution percentages allocated to various travel routes for the casino. This revised distribution would impact additional locations and require expanding the study area. Additionally, the study area provided in the TIAS along Belmont Street appears to end at the easterly site drive, and the study area does not account for impacts further east towards the City center.

2.3 Baseline Traffic Volumes

3. Traffic volumes use in the TIAS were collected in February 2015. MDM increased the traffic volumes by 3 percent to account for the typical seasonal variation and establish the 2015 Baseline traffic volumes. However February 2015 was a non-typical month in terms of weather: large amounts of snowfall inhibited travel on roadways and sidewalks and the Massachusetts Bay Transportation Authority (MBTA) had limited service. It is likely that pedestrian, bicycle, and vehicular traffic volumes were affected during this time. Due to these circumstances, the Proponent should perform the following:

   a. Additional turning movement counts at a select number of intersections during Spring or Fall 2015 (when schools are in session) to compare to the counts conducted in February 2015.

   b. Background travel data in order to compare February 2015 traffic volumes to those volumes collected in February in recent past years.

   c. A re-count of pedestrian volumes, bicycle volumes, and pedestrian push-button activations at all locations in order to accurately represent pedestrian and bicycle presence. These volumes should be collected while schools are in session. The number of pedestrian actuations and volumes should be used to input at each location in the Synchro capacity analyses.

2.5 Safety

4. The MDM report reviewed crash data at the study area intersections during the latest available three-year period. Five of the study area intersections were identified as having a calculated crash rate above the District 5 average crash rate. The TIAS discusses the accident specifics (e.g. road conditions, type of accident, etc.) at each of these locations. MDM should provide additional details about the types of crashes with collision diagrams, per MassDOT guidelines. MDM should also investigate the causes of the high number of crashes at each of the locations and explain how the proposed improvements will improve safety at each of these high crash locations.

5. The Proponent should provide additional discussion regarding the high presence of pedestrian accidents and fatalities throughout the City of Brockton. Any planned

roadway and signal improvements (mitigation) should especially strive to improve pedestrian safety in all areas.

6. The Proponent should also discuss pedestrian safety at the proposed roundabout. In general, multi-lane roundabouts are the lesser of the safe alternatives for pedestrians when compared to signalized or unsignalized intersections. Discuss any safety measures that will be taken at this location, including a discussion about what methods will be implemented to ensure that the crosswalks are safe.

2.6 Public Transportation Facilities

7. The report indicates the Proponent's willingness to work with BAT. As part of this study, however, additional information needs to be presented for review. The Proponent should provide data regarding the existing BAT ridership at the existing stops in the vicinity of the casino. What are the current ridership statistics and can the local routes handle an increase in ridership once the casino is built?

8. The Proponent should also discuss possible locations for BAT bus and/or taxi stops at the site.

9. The Proponent should discuss how public transportation will be utilized to service the casino site.

   a. The BAT Route 3 service currently ends at approximately 9PM on weekdays and Saturday and approximately 6:30PM on Sundays. Discuss with BAT the possibility of extended hours, especially on weekends, to serve casino patrons and employees.

   b. Discuss the possibility of initiating connections between the BAT service and other regional bus routes, such as GATRA and MBTA. Such connections would allow a greater number of patrons from across the region to access the casino using transit services, thereby improving the regional transit connectivity, increasing ridership, and decreasing vehicle usage.

3.2.1 Historical Area Growth [and Build-Out Analysis]

10. The proposed growth rate used in the report is 1.0 percent compounded per year. Discussions with the City of Brockton indicate that there are a number of parcels in the project area that could be developed once the casino is built and would draw in additional traffic. While the Proponent may not be responsible for these future developments, any additional capacity on Belmont Street or Forest Street provided by the proposed mitigation improvements will likely be obsolete in just a few years. Traffic generated by the casino will fill the adjacent roadways to at or near capacity and traffic generated by other smaller developed parcels in the area could continue to add to the already nearly-full capacity of these roadways.

    Therefore, the Proponent should perform a build-out analysis of these additional nearby developable parcels by including the potential site-generated traffic from these parcels in the background analysis. This would minimize future roadway disruption by way of further roadway reconstruction after mitigation improvements

have already been done as well as ensure that the current planned roadway improvements are not obsolete.

3.4 Site-Generated Traffic

11. Estimated trips for the proposed casino were developed based on trip generation data for four other gaming facilities located in the Eastern United States: Sugarhouse Casino (Philadelphia, PA), Twin River Casino (Lincoln, RI), Casino St. Charles (Metro St. Louis, IL), and First Light/Mohegan Sun (CT).

    a. The Sugarhouse Casino (Philadelphia, PA) is served by two SEPTA bus routes, a light rail line, and the casino's own free trolley service called the Sugar Express. The accessibility to public transportation services for the Sugarhouse Casino is not similar to the Brockton location. Confirm that these rates are applicable to the Brockton location.

    b. Describe the function and use of the approximately 25,000 SF multi-function event and entertainment space. Do the other four facilities on which trip generation rates were generated have a comparable event and entertainment space and, if so, were these spaces included as part of their casino trip generation rates?

    c. Discuss the specific characteristics of each of the four gaming facilities that were used as a comparison to generate the Project trip generation rates. Do any of these facilities have other uses (i.e. restaurant, event space) that were considered part of the casino trip generation rates, or were the trips associated with any other uses generated independently of the casino portion?

12. The Proponent should provide casino employee information, such as:

    a. The number of employees or percentage of total daily trips that are employees

    b. Employee shift hours

    c. The percentage of employee trips versus patron trips. The DEIR for the Wynn Everett Casino[1] provided an hourly breakdown of the patron versus employee trip distribution patterns; a similar table is requested.

13. A portion of the trips to the casino are expected to be made using non-vehicular modes of travel (e.g. pedestrians, bicycle, BAT). While credit is not taken for these trips, the Proponent should provide a breakdown of the different modes of transportation to the Project site.

14. Discuss potential conflicts and mitigation measures between the future casino traffic and local Brockton events/activities, such as Brockton High School Friday night football, Brockton Rox games, etc. In addition, the Proponent should ensure that the revised traffic counts (see Comment 3) are conducted on an evening when one or

[1] Draft Environmental Impact Report, Wynn Everett, EOEEA #15060, prepared by Fort Point Associates, Inc., dated December 16, 2013

more of these local events are taking place so that the baseline counts include the traffic associated with these events.

15. Discuss the use of police traffic details during normal operations of the casino. Also discuss the need for police traffic details during times when casino activity coincides with other local events (e.g. Brockton HS football, Brockton Rox, etc.), on holidays, or when other non-gaming casino events are occurring (e.g. the possible concerts or shows happening in the proposed multi-function event and entertainment space, see Comment 11b).

16. Discuss the hourly breakdown for casino arrivals and departures. Provide data regarding the entering / exiting breakdown for trips, and provide the evening peak hours for both the entering and exiting trips.

17. Figure 10 in the TIAS displays the hourly breakdown of the combined roadway & casino trips. Please review the following factors and confirmation of the peak "design hour" for both Friday and Saturday evenings.

    a. The existing volumes used to create the graph shown on Figure 10 are on Belmont Street. If the distribution patterns are revised, as noted in comments 18-22 below, the majority of vehicles will not be using Belmont Street and this may not be the most appropriate roadway to use as a basis for determining the anticipated peak roadway usage. The Proponent should review the hourly volumes on other roadways and revise the peak hour, if necessary.

    b. The hourly traffic volumes shown on Figure 10 are the combination of the existing trips and casino trips. The volumes used to chart the existing trips appear to be the traffic volumes collected on Belmont Street. It appears, however, that the casino trips are the total entering and exiting trips using all roadways and driveways, not just those trips traveling along Belmont Street. For accuracy, we recommend generating the "casino trips" by using the percentage of casino trips traveling along Belmont Street only.

    c. Please confirm that the design peak hour on Saturday matches the peak of the chart in Figure 10 for the combined existing and casino trips.

3.5 Trip Distribution and Assignment

18. Figure 11 in the MDM report shows 42 percent of vehicles traveling to/from Route 24, 37 percent of which will continue to use Route 24 while only 5 percent of which will use West Street. Additionally, Figure 11 shows 2 percent of vehicles traveling to/from Belmont Street in the west. The Proponent should revise these regional distribution patterns. More than 5 percent of vehicles are likely to use West Street to travel to the site.

    a. The Waze app, which provides travel routes by incorporating user-input data to account for traffic, accidents, or other hazards, indicates that as many as half of the casino patrons traveling to/from Route 24 in the north may use West Street instead of continuing south on Route 24 to travel to/from the site.

b. Additionally, MassDOT in the past has periodically provided way finding directions to drivers on Route 24 via variable message boards. For example, drivers were encouraged to use Exit 18A to West Street eastbound to access the Fairgrounds. Drivers familiar with the area are likely to use West Street to access the casino more often than the 5 percent distribution allocates.

19. The gravity model assumes that the majority of patrons coming from/going to west of Brockton would travel along Route 24, however it is likely that they would use local roads (e.g. Belmont Street, Torrey Street, and Forest Avenue) and avoid the highway to have a shorter (miles) route. For example, the MDM report assigned 50 percent of the patrons traveling to/from East Bridgewater to Route 24 to/from the south while the remaining 50 percent are assigned to Forest Street to/from the east. However it is likely that greater than 50 percent of the trips would use Forest Street to travel between the casino and East Bridgewater, as it is a shorter route.

20. No trips are currently assigned to Torrey Street. This roadway carries approximately 10,000 vehicles per day[2]. It is anticipated that some percentage of patrons traveling to/from the west of Brockton will use Torrey Street. The intersection of Torrey Street / Pearl Street should be included in the study area intersections (see Comment 2) and assigning a percentage of project trips along Torrey Street.

21. The Appendix includes data for two travel time runs that appear to have been conducted between Exit 18 on Route 24 and the Project site. It is assumed that these runs were completed in order to determine the regional distribution patterns on Route 24 and West Street. MDM should provide additional information regarding these travel time runs:

a. When were the runs performed (date, day of week, time of day)?

b. How were the results of the travel time runs used to determine the distribution patterns?

22. Proposed local distribution patterns are shown in Figure 12 in the MDM report for both entering and exiting trips. These patterns should be reviewed and revised based on both the recommended revised regional distribution patterns, as well as additional comments below.

a. Related to the regional distribution patterns mentioned above, the Proponent should increase the percentage of vehicles traveling to/from West Street.

b. Greater than 20 percent total of trips should travel to/from the east (Figure 12 shows 15 percent traveling to/from Belmont Street and 5 percent traveling to/from Forest Street)

c. Provide a percentage of vehicles using the eastern site driveway on Forest Street that is shown on the site plan. Currently no vehicles (trucks, buses, or otherwise) are

[2] MassDOT Transportation Data Management System, interactive traffic volume map, local ID 250665, Torrey Street west of Route 24

assigned to this driveway.

23. Discuss the secondary site driveways and their usage.

    a. Will patrons be directed (via way finding signage or otherwise) to use one particular (main) entrance / driveway?

    b. Currently, no trips are assigned to the site driveway on the east side of the site along Forest Street. Discuss the role of this driveway (e.g. will it be restricted to employees only) and allocate a percentage of trips to this driveway.

24. Discuss access from Belmont Street to Fairgrounds Driveway. The only mention of its use is in Figure 2 of the MDM report, where a note labels it as a "potential employee/service driveway."

    a. Will this driveway be restricted to employees and deliveries only? If so, what controls will be in place at the driveway?

    b. Belmont Street at its intersection with Fairgrounds Driveway currently consists of a single lane in each direction. Upon construction of the casino, the TIAS indicates that 15 percent of the peak hour project trips (72 on Friday evening and 103 on Saturday evening) will turn left from Belmont Street onto Fairgrounds Driveway. The Proponent should consider widening Belmont Street at this location to provide an exclusive left-turn lane to accommodate these vehicles.

    c. No trips are being shown as traveling from the east on Belmont Street and using the main entrance on Forest Ave or the additional second entrance on West Street. If the Fairgrounds Driveway will be used as an employee entrance/exit, it is expected then that some patrons will travel from the east and access the casino using the other entrances, and conversely exit using the non-Fairgrounds driveways and travel east on Belmont Street.

       Likewise, it appears that no employee or truck trips are assigned to enter the Fairgrounds Driveway from Belmont Street in the west or exit the Fairgrounds Driveway and turn left to travel west on Belmont Street. Please confirm.

25. Discuss on-site circulation and parking

    a. Valet parking: What is the location of the valet drop-off area? Will valet users be directed to a specific driveway/entrance? Where are the valet parking spaces located?

    b. Buses: Will buses be directed to a specific driveway? Will buses be restricted to certain times of day? Where will buses drop off and pick up riders?

    c. Limousines: Will limos be directed to a specific driveway? Will limos be restricted to certain times of day? Where are the limo parking spaces located?

    d. Trucks and deliveries: Are trucks limited to using the rear Fairgrounds Driveway?

Will truck deliveries be limited to certain times of day? Will there be any type of access restrictions (e.g. gates, key cards) for truck deliveries at this location? How many truck deliveries are anticipated on a daily basis?

e. Emergency Access: Have all site driveways been designed to accommodate emergency vehicles? Discuss any other emergency access plans and how the development will coordinate with the necessary agencies (police, fire, etc.). Note that the Brockton Fire Department is located on West Street. Emergency access issues will need to be discussed for potential traffic queues blocking the Fire Department driveway.

f. On-site parking spaces and allocation: Discuss whether certain parking spaces will be allocated to employees or other specific uses. Consider the use of a "smart" parking system in order to keep the flow of vehicles moving once they are inside the site, thereby reducing backups on the local roadways.

26. Provide further information regarding employee access.

a. Employee site access restrictions (e.g. driveway usage, hours of access, key card restrictions) are suggested.

b. Will the Fairgrounds Driveway be open for use by non-employees (i.e. patrons) and deliveries?

27. The Proponent should consider performing a sensitivity analysis. A sensitivity analysis consists of increasing the Build volumes in stepped increments and assigning the trips to the study intersections for each of these increments. Capacity analyses are then conducted for each stepped increment in order to determine the impacts for each increase. The purpose of such an analysis is to determine the "breaking point" capacity of the study area intersections. Such an analysis should be performed after revising the trip distribution patterns as well as after implementing the changes to the capacity analysis listed below (e.g. lane widths, pedestrian actuations and phases, and PHFs, See Comments 28 & 31).

4.0 Traffic Operations Analysis

28. Several input parameters that the Proponent used in the traffic analysis software, Synchro, should be reviewed and revised for consistency and accuracy. Certain inputs do not appear to match the existing or proposed geometry conditions for the roadways. Other inputs do not match the capacity analysis guidelines provided by MassDOT.

a. Confirm lane widths. Some locations are coded in Synchro for 12-foot lanes, while the lane width shown on the MassDOT design plans are 11 feet.

b. Several locations have pedestrian volumes and/or exclusive pedestrian phases. Many locations are missing the number of pedestrian calls or do not have an exclusive pedestrian phase as part of the signal timings. Please use the proper pedestrian phases, volumes, and actuations in the analysis.

c. Confirm peak hour factors (PHF) used for Baseline conditions. Per MassDOT guidelines "The PHF shall be applied on an approach-by-approach basis for analysis of base year traffic volumes."

d. Confirm PHF used for Build condition analysis. Per MassDOT guidelines "For future year traffic volumes, the PHF shall be . . . 0.92 for urban areas."

e. Review and revise the percent heavy vehicle inputs. The Synchro analysis shows 33 percent heavy vehicles turning left from Belmont Street onto Fairgrounds driveway. Conversely, zero percent heavy vehicles are shown exiting the Fairgrounds driveway. No heavy vehicles are allocated to the Forest Street entrance and 2 percent heavy vehicles are shown for all entering and exiting movements at the West Street driveway. These heavy vehicle percentages do not address any heavy vehicle traffic that may be coming from the west (Route 24).

f. Please review and confirm the proposed yellow and all red clearance times for the future Build scenario. MassDOT issued a memorandum dated January 8, 2013 providing guidance on calculating these clearance intervals. These calculations should be confirmed and provided as backup in the Appendix.

g. Please confirm the length of links between intersections shows in Synchro. Using incorrect link lengths can affect the results of the capacity analysis.

29. The intersection of Belmont Street at West Street (East) shows combined through/left turn movements for the Belmont Street eastbound and westbound approaches. The Proponent should consider providing exclusive left-turn lanes and phases in order to improve operations at this location.

30. The intersection of Belmont Street at Forest Avenue shows double left-turn lanes on both the northbound and southbound approaches. The Forest Avenue northbound movement is showing 612 and 715 vehicles turning left during the Friday and Saturday peak hours, respectively, while the southbound movement shows 217 and 186 vehicles turning left during these same peak hours. The signal phasing shows vehicles making both of these double-left turns at the same time. Given the high volumes and the proposed geometry, this could increase vehicular conflicts at the intersection. MDM should provide a split phasing for each of these movements in order to improve safety.

31. Capacity analyses for the proposed roundabout were analyzed using Sidra, which analyzes the roundabout as a standalone entity without taking into consideration other intersections nearby. However the proposed roundabout appears to be within approximately 500 feet of 3-4 intersections. The Proponent should consider performing a simulation analysis that will show how vehicles will flow between the roundabout and adjacent intersections and perform an analysis showing how the vehicles will interact between and within this cluster of intersections.

For example, under the Build scenario during the Friday evening peak hour, approximately 2,500 vehicles will enter the roundabout, approximately 1,300 of which will use Forest Avenue eastbound, of which approximately 300 will turn left

into the Project site. A simulation using a program such as VISSIM would be able to show a realistic interaction between the vehicles in the roundabout and those turning left from Forest Avenue into the site.

4.2.3 Vehicle Queue Analysis

32. The Proponent should provide graphical queue length analyses per MassDOT guidelines. Queue lengths should be shown on a roadway and site plan in order to visually depict the anticipated queue lengths (both average and 85th percentile) in relation to the travel and turn storage lanes.

5.1 Access Improvements

33. In Section 3.1 of the TIAS, the Proponent discussed the planned MassDOT roadway improvements slated to occur within the Project's roadway network. In order to clarify the work being done by MassDOT versus the proposed improvements by the Proponent, MDM should provide a table to list and outline the characteristics for each of the mitigation improvements. This table should include categories such as the cost of the improvement, the responsible party, and the projected time of completion.

34. It appears that many of the proposed improvements were taken directly from suggestions in the Southwest Brockton Corridor Study, while the other improvements are intended to directly benefit the roadways and intersections at the site. Consider additional mitigation measures for areas extending beyond the immediate influence of the site in order to support the community adjacent to the casino. The proposed casino will impact this neighborhood of Brockton in many ways, and the Proponent should seek to increase mitigation improvements to the extended area.

35. The Proponent should provide improvements on Belmont Street further east beyond West Street. This area would benefit from improved pedestrian access, including reconstructing sidewalks, as well as improving signal timing and phasing operations at additional intersections, such as Belmont Street & Ash Street (see Comment 2).

36. The Proponent should begin coordinated improvement efforts with MassDOT now, while these projects are still underway. It would be beneficial to upgrade the traffic signal timings and improvements under the MassDOT contract, so that the work only has to be done once, rather than making the changes under the MassDOT contract and then returning to the traffic signal locations and making additional modifications a short while later. Actions such as these would also free up the funds currently allocated to these Proponent-funded improvements and allow the funds to be spent elsewhere, such as on improving pedestrian accessibility or traffic signal phasings or timings elsewhere. Such actions would also reduce inconveniences to the roadway users (e.g. drivers and pedestrians) by only requiring improvements to be made one time (also see Comment 10).

Miscellaneous Recommendations

37. Provide backup calculations for the parking supply volumes. The TIAS indicates that the Project will provide approximately 3,000 parking spaces, split between surface and structured parking. Please provide calculations to show that this is adequate parking for the patrons and employees of the proposed hotel and casino with ancillary uses.

38. The Proponent should consider performing a more extensive traffic monitoring program, both before and after the opening of the casino, if the Proponent is granted the license. It is recommended that the Proponent perform traffic monitoring counts 6 months after opening, and then every year for a minimum of five years after opening. These traffic counts would serve to confirm the trip generation assumptions made in the TIAS and evaluate the need for any additional mitigation measures. It is recommended that the Proponent commit to implementing additional mitigation measures if certain thresholds are met.

UTILITY REVIEW

The following are specific comments regarding project utilities generated from review of the ENF and attendance at the scoping session and site visit. The comments document questions and concerns regarding the limited information provided to date on utility impacts of the casino project and make recommendations for additional information that should be included in the project's Environmental Impact Report (EIR). The comments are divided into sections for each utility reviewed.

Stormwater Management

1. The EIR should provide more detail on the stormwater management system design. Specifically, significantly more information on best management practices (BMP's) to be used for stormwater treatment and infiltration to groundwater should be provided (i.e. types of BMP's, proposed locations, suitability for use in this application, etc.). The Applicant should focus on the use of low impact development (LID) techniques to break the stormwater management into smaller, localized, more natural systems on the site providing improved treatment and localized recharge to groundwater.

2. The project includes a very large increase of impervious surface on site and will, therefore, require significant recharge to groundwater to comply with Stormwater Standard 3 per the Applicant's intent. Has any evaluation of on-site soils been performed to determine approximately how much recharge will be required and how suitable the soils and depth to groundwater are to provide this recharge?

3. Has the Applicant given any consideration to stormwater reuse (for irrigation, toilet flushing, or other non-potable uses)? The reuse of stormwater can assist in reducing stormwater peak runoff rates as well as helping the Applicant meet their stated goal of incorporating "design strategies…to promote smarter use of water, within the building and on-site, and to reduce potable water consumption."

4. At the scoping session, the Applicant's engineer discussed a large "stormwater feature" currently shown adjacent to Forest Avenue. Additional details regarding this feature should be provided. We highly recommend that this feature not be a standard detention or infiltration basin as that type of BMP at the scale shown does not conform to LID type design.

Sewer

5. The Applicant's engineer has stated at the scoping session that the existing City of Brockton sewer system has sufficient capacity to handle the expected sewer flows from the project. However, no specific information has been provided to support this statement. The EIR should include specific information regarding sewer flows from the project versus available capacity of the sewer system (including capacity and condition of sewer mains/interceptors to be used and treatment plant permitted and functional capacity).

6. The EIR should also include a review of sewer system capacity regarding the adjacent redevelopment that is projected to occur should the casino project be constructed.

7. The EIR should include details regarding infiltration and inflow (I/I) removal to mitigate the sewer flows from the project. A removal ratio of 4:1 (gallons removed:gallons added) is typical for projects of this scale and should be the I/I removal goal. Specific information on I/I removal measures to be undertaken and expected removal amounts should be detailed.

8. The ENF discusses the need to construct a new sewer main from the site to an existing sewer interceptor. This new main should be sized to accommodate sewer flow from both the project and adjacent redevelopment that is projected to occur should the casino project be constructed.

Water

9. The Applicant's engineer has stated at the scoping session that the existing City of Brockton water system has sufficient availability to handle the expected water demand from the project. However, no specific information has been provided to support this statement. The EIR should include specific information regarding the project's water demand versus available water system supply (including sizing, age, and condition of existing mains as well as permit availability).

10. The EIR should also include a review of water supply system capacity and condition regarding the adjacent redevelopment that is projected to occur should the casino project be constructed.

11. Any new water mains required to accommodate the casino project should also be sized to accommodate the adjacent redevelopment that is projected to occur should the casino project be constructed. This adjacent redevelopment should be taken into account when determining if new mains are required.

12. The EIR should include specific information regarding the "dual supply" requirements that were briefly mentioned by the Applicant's engineer at the scoping session.

13. The EIR should provide more specific measures to be used to minimize water use for the project. The applicant should focus on minimizing or eliminating potable water use where it is not required (i.e. toilet flushing, irrigation, etc.).

Private Utilities

14. The Applicant should provide detail on the requirements for and availability of private utilities (telecommunications, electric, gas, etc.). Specifically, will the project require the construction of new private utility services? If so, the temporary impacts for construction of these services (street excavation, traffic detours/management, etc.) should be detailed for each utility.

15. As part of the review of the need for new private utility services to the site, the Applicant should take into account the adjacent redevelopment that is projected to occur should the casino project be constructed. Any new services should be sized to accommodate this redevelopment either through oversizing of the service (i.e. gas) or by providing adequate spare conduit (i.e. wire utilities).

CONCLUSIONS

The TIAS prepared by MDM should be reviewed for consistency and accuracy. Several issues will need to be address in order for BSC to continue the review process, including but not limited to performing new baseline traffic counts, confirming the site-generated traffic estimations, revising the trip distribution patterns, and revising the lane widths and other inputs in the Synchro coding. The Proponent should also address concerns regarding safety, non-vehicular access, on-site circulation, and mitigation measures.

Minimal information regarding utility impacts was provided in the project's ENF or at the scoping session. The EIR process is an appropriate opportunity for the project applicant to provide detailed information on these projected utility impacts including capacity analysis, mitigation to offset uses, and more specific information on design of utilities. All utility impact analysis in the EIR should also take into account the future adjacent redevelopment that the casino project is expected to spur so that, when this redevelopment occurs, significant re-disturbance of the area is not required for new utility construction.

Please do not hesitate to contact our office with any inquiries you may have.

Sincerely,

BSC Group, Inc.

Thomas Loughlin, PE

Principal, Vice President

pc

Old Colony Planning Council

Lee Hartmann
President

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June 30, 2015

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
[Page Czepiga], EEA No. 15370
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EEA #15370: Proposed Category 1 Gaming Establishment, Brockton, MA
Environmental Notification Form (ENF)

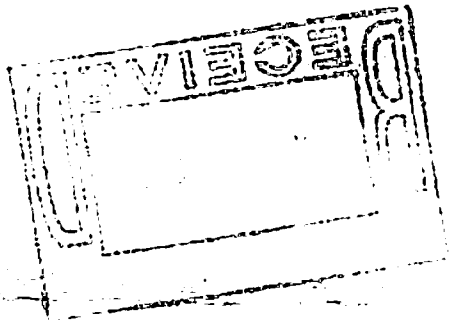
Dear Secretary Beaton:

Old Colony Planning Council (OCPC) has reviewed the Environmental Notification Form (ENF) submitted for the Proposed Category 1 Gaming Establishment (EEA #15370) in Brockton. The project proponent is proposing to construct a destination resort casino, hotel, parking, and other support facilities on a 45.7 acre site consisting of three continuous parcels in Brockton. The proposed project is located on the site of the Brockton Fairgrounds property which currently consists of storage buildings, a grandstand and abandoned horse track. The site bordered by Belmont Street to the northwest, by West Street by the southwest, by Forest Avenue to the south, by Thurber Avenue and Othello Street to the east, and by properties containing several existing office/commercial buildings to the north. On behalf of the Old Colony Planning Council, we thank you for the opportunity to comment on this proposal and offer the following for your consideration.

Alternatives Analysis

The project proponent proposed four alternatives for the site; "No-Build Alternative"; "As of Right Development Option" (Alternative A); " Mixed-Use Development Option" (Alternative B); and the "Preferred Aiternative".

- "No-Build Alternative" assumes that site would remain as is, which the project proponent describes as "not an economically viable use of the property", given its General Commercial zoning designation and its adjacency to Route 123 and close proximity to Route 24.
- "As of Right Development Option" (Alternative A) calls for the development of a retail center similar in character to those that exist to the area west of project site. This option calls for a 386,000 square foot retail center with 1,764 surface parking spaces. The anticipated breakdown of uses includes a 238,000 square foot discount superstore and 148,000 square feet of typical general retail "shopping center" uses.
- "Mixed-Use Development Option" (Alternative B) calls for the development of eleven (11) four-story residential buildings and seven (7) retail pads. In total, this alternative would consist of approximately 570 housing units over a total of 746,000 square feet of residential floor area and 147,950 square feet of retail, with a total of 1,834 parking spaces.



- "Preferred Alternative" is the alternative that the project proponent calls "the highest and best use of the property". This alterative calls for the construction of a new LEED Gold resort casino that includes a gaming facility, a hotel with up to 300 rooms, restaurants, sundry retail, multifunctional event and entertainment space, and back of house spaces. In total, the development will consist of approximately 512,000 square feet of floor space, of which 258,000 square feet will be the casino and 254,000 square feet will be the hotel. In addition, a 548,000 square foot parking garage will constructed to accommodate a portion of the site's 3,000 parking spaces.

Economic Development

The project is expected to not only boost economic activity in the City of Brockton, but help boost economic activity throughout the region, as it will create thousands of new jobs, including approximately 1,400 construction jobs and 1,500 permanent jobs. The City of Brockton in particular will benefit from millions of dollars of new revenue on an annual basis from its Host Community Agreement and taxes. The project will also energize economic development in the area, as it is very likely that the area will prove to be attractive to a number of businesses who would like to draw upon the business of the large number of patrons who will visit the casino.

Floodplains

While the project site itself does not lie within a floodplain, work associated with the project appears to occur within a floodplain, specifically where the project proponent has indicated there will be roadway improvements. The area in question is the West Meadow Brook at the intersection of Belmont Street and West Street. This area is located within FEMA Flood Zone A according to FEMA FIRM Map# 25023C0158J dated July 17, 2012. OCPC request that the project proponent detail how the roadway improvements at the site will mitigate flooding.

Stormwater Management

The site as it currently exists does not appear to provide stormwater runoff treatment measures. The project which will increase the site's impervious surface an additional 12.8 acres, makes a proper stormwater management plan critical, as it is assumed that stormwater from the site will be discharged into one of the city's surface water bodies, all of which are located in the Taunton River Watershed, a watershed that is classified as a medium stressed basin. The ENF notes that the project proponent has pledged to remedy this issue by designing and constructing a stormwater treatment system that is in compliance with the Massachusetts Stormwater Management Policy Handbook. This includes designing and constructing a system that will treat stormwater for TSS removal prior to any infiltration or outfall. The proponent has indicated that the proposed system will be consistent with maintaining natural drainage flow patterns and will utilize a number Low Impact Development (LID) techniques.

Within the DEIR OCPC requests that the project proponent identify all LID techniques as well as the series of Best Management Practices (BMP) that the proponent mentions in the ENF. OCPC also requests that project proponent consider the utilization grey water and retained stormwater for the irrigation of onsite landscaping as well the utilization of permeable pavements on surface parking lots as two additional measures in the management of the sites stormwater.

Water and Wastewater

Due to the project's anticipated generation of more than 100,000 gallons per day of wastewater, the project proponent has noted that they anticipate replacing the clay sewer lines throughout the project site with new watertight sewer mains, including a new municipal main to the nearby sewer interceptor, resulting in a

substantial reduction in infiltration entering the sewer system and being unnecessarily treated at Brockton's wastewater treatment plant.

Sustainability

OCPC strongly supports the project proponent's commitment to constructing a facility that achieves Leadership in Energy and Environmental Design (LEED) Gold Certification under the LEED Building Design + Construction (BD+C). To that extent OCPC requests that the project proponent identify all sustainable building principles proposed, including, but not limited to: the use and extent of all energy and water conservation measures, waste minimization and the use of regional and recycled materials, and the use of onsite renewable energy technologies such as solar photovoltaic, solar hot water and the like.

Historical

The ENF notes that the while project involves the redevelopment of the historic Brockton Fairgrounds (Inventory #BRO.F), the Massachusetts Historical Commission states that "it has been determined that this project is unlikely to affect significant historic or archeological resources." The ENF also notes the adjacency of the Brockton Fairgrounds Exhibition Hall (MHC #BRO.14), but does not mention the adjacency of the historic Snell Cemetery (MHC #BRO.804). In the interest of protecting and preserving these historic sites OCPC encourages that the project proponent work closely with the City of Brockton, the Brockton Historical Society and the Massachusetts Historical Commission to minimize any impacts these sites.

Transportation

The ENF contained a Traffic Impact and Access Study (TIAS) which primarily focused on the existing and future traffic conditions of the roadways that will provide access to the proposed project in the City of Brockton. Specifically, the study focused on the existing operational conditions and safety characteristics found on portions of the Belmont Street (Route 123) and West Street corridor as well as the entire Forest Avenue corridor. In addition, the TIAS outlined the transportation improvements proposed by the project proponent, which aim to supplement the current improvements underway and programmed by the Massachusetts Department of Transportation (MassDOT).

Study Area

The TIAS included existing and future traffic conditions and safety analyses for a total of twenty-one intersections on Belmont Street (Route 123), Forest Avenue, and West Street. Primary access to the proposed project site was assumed to be along Belmont Street (Route 123), Forest Avenue, and West Street; therefore, the majority of the analysis was focused on the intersections on those roadways between the Route 24 interchange and the project site. In addition, the TIAS did include analysis of key intersections on the Forest Avenue corridor assuming a small percentage of trips utilizing this roadway for access to the proposed site.

Considering the fact that this proposed project will draw patrons and employees from areas outside of Brockton, the proponent should consider expanding the study area to include the entire Route 27 corridor and the entire Route 123 corridor in Brockton as they will serve as the primary access routes to the proposed project site from outside the City. In addition, the proponent should consider updating the bicycle and pedestrian counts at the study area intersections as the counts in the ENF were done in February (non-traditional month for bicycle and pedestrian activity). To that end, I encourage the project proponent work closely with the City of Brockton and MassDOT to determine the final geographic extent and scope of the traffic analysis in the upcoming DEIR filing.

Trip Distribution
According to the Trip Distribution and Assignment section of the TIAS, approximately 75% of the expected trips entering and exiting the proposed project site will use the Belmont Street (Route 123) corridor. The remainder of the expected trips come from West Street (from the north), Forest Avenue (from the east), and Belmont Street (Route 123) (from the east). This trip distribution assessment implies that a very small percentage of patrons or employees coming from points north will use the Route 24 & Route 27 interchange and the West Street corridor to enter and exit the proposed project site. Moreover, the TIAS states that the regional distribution of trips along Route 24 has a higher orientation to/from the north than from the south due to a slightly higher market population densities and other factors. As such, the project proponent should provide potential improvements that could be made for the Reynolds Memorial Highway (Route 27) and the West Street corridors in the event that patrons and employees choose not to use the Belmont Street (Route 123) corridor.

Public Transportation
Public transportation systems must not be overlooked as a catalyst in shaping land use patterns and their effect on the quality of life and livability of local residents. Concepts such as the placement of public transportation services, and/or the frequency of service are among the deciding factors in whether or not the residents use transit.

Future public transportation connections are an important component for this proposed project. Large public transportation vehicles are more challenging to maneuver, require more space, operate on their own schedule, and therefore, require different provisions than a passenger motor vehicle. As such, Brockton Area Transit Authority (BAT) should be consulted to improve upon the conceptual designs, discuss potential service enhancements, identify signal prioritization locations, and to provide the project proponent with the elements that would allow for successful service to the proposed site.

Bicycle and Pedestrian Accommodations
The GreenDOT policy integrates sustainable principals into all aspects of the way in which MassDOT plans, designs, builds, and operates the transportation system of the Commonwealth. Incorporating all users during the planning of transportation projects is a key component to ensuring the highest level of multi-modal use while promoting the MassDOT Mode Shift Initiative. As such, the DEIR should include bicycle and pedestrian circulation site plans, which should include, but not be limited to: conceptual site sidewalk locations; crosswalk locations, bicycle lanes, and secure storage areas in order to ensure that the proposed project provides for safe and realistic bicycle and pedestrian travel.

Transportation Demand Management
According to the ENF, the project proponent has developed a preliminary list of items to be contained in the final Transportation Demand Management (TDM) program, which included but was not limited to: providing a shuttle and bus options; hiring an on-site employee transportation coordinator; supplying preferred parking for carpools, vanpools, and low emission vehicles; posting of public transportation information; providing bicycle facilities; and, promoting the MassRIDES program.

The Transportation Demand Management items in the ENF are important component in order to reduce Single Occupancy Vehicle (SOV) trips and Green House Gas (GHG) Emissions. As such, I recommend that the proponent work closely with the City of Brockton, BAT, MassDOT, and the MassRIDES program to create permanent commitments that will be outline in the Transportation Demand Management section of the DEIR.

Traffic Monitoring Program

Considering the fact that this type of project is still new to the Commonwealth and is expected to attract visitors from all over the region, it is crucial that the related impacts be reviewed thoroughly. Traffic impacts related to this project may not be fully apparent following the first opening of the facility; therefore a commitment from the proponent to continue working with MassDOT, the City of Brockton, the surrounding communities, and the regional stakeholders to ensure that all issues are addressed is important. As such, I recommend that the project proponent commit to incorporating a traffic monitoring program which would include the monitoring of all study area intersections during each phase of development and for a period of 3-5 years after full build out of the project to ensure that any issues that arise can be quantified and mitigated.

Conclusions

While we believe that project will be boon for both the local and regional economies, we want to make sure that the project accomplishes its objectives with minimal environmental and transportation impacts. We thank you for the opportunity to comment on this project and look forward to reviewing any and all future filings.

Sincerely,

Pasquale Ciaramella

Pasquale Ciaramella
Executive Director

cc: Governor Charles D. Baker
Mayor William Carpenter, City of Brockton
OCPC Region Chief Elected Officials
OCPC Region Planning Board Chairpersons
OCPC Delegates and Alternates
Mr. Stephen Crosby, Chairman, Massachusetts Gaming Commission
Ms. Stephanie Pollack, Secretary & CEO, MassDOT
Mr. Thomas Tinlin, Acting Highway Administrator, MassDOT
Mr. Francis DePaola, P.E., Interim General Manager, MBTA
Ms. Mary-Joe Perry, Director, MassDOT District 5
Mr. Lionel Lucien, Public/Private Development Unit, MassDOT
Ms. Nikki Tishler, MPO Liaison, MassDOT Planning
Mr. Rob May, Director of Planning & Economic Development, City of Brockton
Mr. Reinald Ledoux, Jr., Administrator, BAT

Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

June 30, 2015

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

RE: Brockton – Category 1 Gaming Facility: ENF
(EEA #15138)

ATTN: MEPA Unit
Holly Johnson

Dear Secretary Beaton:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the proposed Category 1 Gaming Facility project in Brockton, as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

David J. Mohler
Executive Director
Office of Transportation Planning

DJM/jll

Ten Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-4636, TTY: 857-368-0655
www.mass.gov/massdot

cc: Thomas J. Tinlin, Acting Administrator, Highway Division
Patricia Leavenworth, P.E., Chief Engineer, Highway Division
Mary Joe Perry, District 5 Highway Director
Neil Boudreau, State Traffic Engineer
Brockton Area Transit Authority
Old Colony Planning Council
PPDU Files

Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

MEMORANDUM

TO: David Mohler, Executive Director

FROM: J. Lionel Lucien, P.E., Manager, Public/Private Development Unit
Office of Transportation Planning

DATE: June 30, 2015

SUBJECT: Category 1 Gaming Establishment – Brockton: ENF
(EEA# 15138)

The Public/Private Development Unit has reviewed the Environmental Notification Form (ENF) for the Category 1 Gaming project in Brockton. The total project would consist of 512,000 square feet, including a hotel, restaurants, retail spaces, and event/entertainment space. Specifically, the development would consist of 3,000 gaming positions, a 300-room hotel and fitness center/spa, 25,000 square feet of function space, and 3,000 on-site parking spaces.

The project site consists of 45.7 total acres bounded by Belmont Street to the northwest, West Street to the southwest, Forest Avenue to the south, Thurber Avenue/Othello Street to the east, and several office and commercial buildings to the north. The site is presently used as a snow storage yard for the City, the storage of commercial materials, and as an occasional location for carnivals or other events. Historically, the site was a horse racing track up until 2001. A Massachusetts Department of Transportation (MassDOT) Vehicular Access Permit is required, as the site abuts Route 123 and would require modifications to this roadway. The Project exceeds the Massachusetts Environmental Policy Act (MEPA) thresholds for trip generation (3,000 or more new trips) and parking (1,000 or more spaces), and is therefore categorically included for preparation of an Environmental Impact Report (EIR).

The DEIR should provide a transportation study that expands on the study included in the ENF. It should be prepared in general conformance with the most recent MassDOT/EOEEA Guidelines for Transportation Impact Assessments. The study should include a comprehensive assessment of the transportation impacts of the project based on a thorough analysis of existing conditions, future No-Build conditions, and future Build conditions. The study should take into account the regional context of the project and provide a comprehensive, integrated multimodal mitigation package that would allow the maximum possible use of non-single-occupant vehicle (non-SOV) travel modes by both employees and customers. MassDOT strongly encourages the Proponent to maximize site access by non-SOV travel modes through both physical- and non-physical improvements, and to seek creative solutions that would encourage both patrons and employees to bicycle, walk, car/vanpool, and take transit.

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Trip Generation

The trip generation for the project is based on the collection of empirical data from gaming facilities that are already in operation. Institute of Transportation Engineers (ITE) data is generally used in computing trip generation; however, ITE has not collected data on this land use. The empirical site trip data was collected at Sugarhouse Casino in Philadelphia (Proponent affiliated), Twin River Casino in Rhode Island, Casino St. Charles in Illinois, and projections from the proposed First Light Casino in Taunton. The trip generation for these facilities was summarized using the number of gaming positions as the independent variable. The casino portion of the development would result in 0.32 vehicle trips per gaming position for a weekday evening peak period and 0.37 vehicle trips per gaming position for a Saturday evening peak period. The rates include the incidental trip generation expected to be attributed to the restaurant and entertainment venues.

The Proponent used the trip generation rates above to estimate the daily trip generation for the site, but included additional trip activity for the hotel portion of the project. For the hotel, ITE Land Use Code 330 Resort Hotel was used. Although the hotel is expected to draw most of its patron base from the casino use, it was considered as an independent use in order to provide a conservative analysis. The hotel, casino, and ancillary uses are expected to generate a total of 17,358 vehicle trips on an average Friday and 22,530 vehicle trips on an average Saturday.

This is generally consistent with the methodology used by other casino proponents, and accepted by MassDOT. However, the DEIR should provide additional information on the size, geographic location, and programmatic features of the comparable sites. The information should demonstrate that the sample locations chosen are similar to the proposed facility and will provide an accurate assessment of the projected site travel. In addition, the DEIR should include all back-up data used to arrive at any trip generation in order to support any assumptions included in the DEIR. The Proponent should also present a trip generation discussion with a time-of-day distribution of employee travel demand based on the anticipated timing of work shifts (and how those shifts correlate with transit service times).

Trip Distribution

The trip distribution for the casino was based on a number of variables including population density, location of existing and proposed competing facilities, and demographic data. The methodology is consistent with what other casino proponents have used. According to the ENF, a majority (78%) of vehicle trips would travel to/from the site via Route 24. The Route 123 corridor would account for 15 % of the trips and the Forrest Avenue corridor would account for the remaining portion of trips.

A relatively low number of vehicle trips have been assigned to Route 123 west and Forest Avenue east, when existing regional commuting patterns seem to dictate that more patrons and employees would choose these routes when approaching from the north and east. We request that the Proponent take a closer look at these routes and the assumptions in the gravity model to ensure that they are providing an accurate portrayal of the project trip distribution.

The DEIR should update the gravity model to include the expanded study area identified below, and should provide all appropriate documentation to verify how the distribution percentages are calculated and assigned to the roadway network. The same analysis must be provided for the regional transit system. Once the trip generation, the modal split, and the trip distribution and assignment are developed, network maps of the study area should be created for the different peak-hour analyses and the different modes.

Traffic Operations

The ENF includes a capacity analysis with a summary table of level of service (LOS), delay, and volume to capacity ratio for all study area intersections. Based on the gravity model outlined above, the Proponent is projecting that the following locations are most likely to experience an impact from the project related traffic:

1. Belmont Street at Manley Street;
2. Belmont Street at VA Hospital/Belmont Court;
3. Belmont Street at Linwood Street/Lorraine Avenue;
4. Belmont Street at Belmont West Plaza/Angus Beaton Drive;
5. Belmont Street at Westside Plaza/West Street;
6. Belmont Street at Westside Plaza/Forest Avenue;
7. Belmont Street at West Street;
8. Belmont Street at Torrey Street;
9. Belmont Street at Fairgrounds Driveway/Kenelworth Avenue;
10. West Street at Torrey Street;
11. West Street at Forest Avenue (four way);
12. West Street at Forest Avenue (three way);
13. Forest Avenue at Memorial Drive;
14. Forest Avenue at Ash Street;
15. Forest Avenue at Manomet Street/Bouve Avenue;
16. Forest Avenue at Warren Avenue;
17. Forest Avenue at Main Street/Martin Place;
18. Route 24 Southbound Ramps at Belmont Street;
19. Route 24 Northbound Ramp at Belmont Street;
20. West Street at Proposed Casino Driveway; and
21. Forest Avenue at Proposed Primary Site Drive.

In addition to these locations, the following local intersections should be added to the study area to capture the full impact of the project:

1. Belmont Street at Memorial Drive;
2. Belmont Street at Magnolia Avenue;
3. Belmont Street at Warren Avenue;
4. Belmont Street at Belmont Avenue;
5. Belmont Street at Main Street;

6. Main Street at Pleasant Street;
7. Pleasant Street at Route 28; and
8. Reynolds Memorial Highway at Pleasant Street/West Street.

Based on the nature of the land use, the trip generation for the project is expected to be drawn from a wide area of southeastern Massachusetts and beyond into neighboring states. Because approximately 78 percent of casino patrons are expected to arrive on site via Route 24, the project would have a substantial impact on the regional traffic network. As a result, the study area should be expanded to include the Route 24/Route 27 Interchange, north of the site. This should include a full analysis of the interchange and associated roadway systems, including an examination of weaving movements, ramps merge/diverge analysis, and a study of ramp queues.

Any proposed traffic signals must include a traffic signal warrant analysis according to MUTCD standards. The DEIR should include conceptual plans for any proposed roadway improvements that should be of sufficient detail, preferably 80-scale, to verify the feasibility of constructing such improvements. The conceptual plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access drives) adjacent to areas where improvements are proposed. Any proposed mitigation within the state highway layout must conform to MassDOT standards, including but not limited to provisions for lane, median, and shoulder widths, bicycle lanes, and sidewalks.

Safety Analysis

The ENF includes a safety analysis based on the most current crash data available and compares the crash rates with both the MassDOT district and statewide averages. While most study area intersections experience crash rates below the District average, the following locations are expected to experience crash rates exceeding the District average:

1. Belmont Street at Lorraine Avenue/Linwood Street;
2. Belmont Street at West Street;
3. Forest Avenue at Manomet Street/Bouve Avenue;
4. Forest Avenue at Warren Avenue; and
5. Forest Avenue at Main Street.

The safety aspects of any proposed roadway improvements should be detailed. The safety analysis should provide a preliminary assessment as to whether there are locations within the site influence area that are Highway Safety Improvement Program (HSIP)-eligible. An HSIP-eligible location is one that is within the top 5 percent of crash locations for each Metropolitan Planning Organization (MPO) region. For any such locations, a full Roadway Safety Audit shall be conducted to determine any required safety improvements in addition to any capacity improvements. MassDOT has been working with the City of Brockton regarding a number of recent crashes; the Proponent should identify the locations where these accidents have occurred and build on already identified measures to mitigate impacts associated with the increase of project-related traffic.

Horizon Year

The DEIR should use a minimum 10-year horizon period analysis for improvements on the state and local roadway system consistent with what was used in the ENF.

Proposed Transportation Infrastructure

MassDOT Funded Improvements

Belmont Street within the study area is currently funded for the following improvements as part of MassDOT Projects #608025 and #606036. Construction is expected to begin in spring 2016 and would include the following specific improvements between Route 24 and Angus Beaton Drive:

Roadway Widening

Belmont Street would be widened within the project limits to provide turning lanes at major intersections and to meet Complete Streets design standards (include four-foot bike shoulders and ADA sidewalks.

Traffic Signal Upgrades

Upgrades would be completed to the equipment at Manley Street and VA Hospital including new equipment, conduit, and loop detection.

Linwood Avenue/Lorraine Street Improvements

This intersection would be realigned to create a single four-way intersection with Belmont Street. The Lorraine Street would be widened to provide turning lanes and Belmont Street would be widened to provide a westbound left-turn lane.

Angus Beaton/Belmont West Plaza Drive Improvements

Both approaches to Belmont Street would be modified to improve lane geometry and optimized, actuated signal control would be added.

The ENF indicated that the proposed MassDOT improvements along Belmont Street will be completed in time for the proposed occupancy of the gaming facility. The DEIR should provide an update on the timeline of MassDOT improvements. If the MassDOT improvements will not be in place in time for the occupancy, alternative or interim improvements must be proposed by the Proponent or efforts must be made to help expedite those improvements; up to and including funding these improvements.

Proponent Funded Improvements

Belmont Street Corridor

Proponent-sponsored improvements would continue from Angus Beaton Drive westward to West Street and would complement the proposed MassDOT improvements. Signals at West Street/Plaza Drive, Forest Avenue, and West Street would be modified and upgraded to provide coordinated control. While the MassDOT portion of Belmont Street project includes Complete Streets design elements such as bicycle shoulders and ADA sidewalks, there is no mention of these features along the portion slated for improvement by the Proponent. Any roadways modified by the Proponent must advance a Complete Streets Design approach and provide accommodations for all roadway users.

Forest Avenue Corridor

A two-lane modern roundabout would be constructed at the Forest Avenue/West Street intersection, as well as the conversion of certain portions of roadway to one-way travel. Forest Avenue would be widened to a four-lane cross-section and would include bicycle shoulders and ADA-compliant sidewalks. A fully-actuated signal would be constructed at the Forest Avenue/site driveway intersection and at the Forest Drive/Memorial Driveway intersection.

West Street Corridor

West Street would be widened to a four-lane cross-section along property controlled by the Proponent. Again, any roadway improvements must follow a Complete Streets design approach and provide safe accommodations for all roadway users.

Pedestrian/Bike/Transit Access

In the DEIR, the Proponent should identify the likely travel routes for bicyclists within the study area, describe the degree to which these routes can safely support bicycle travel (through notation of dimensions and grades, potential impediments, surface treatment, relevant pavement markings and signs, etc.), and propose new bicycle facilities on the site and throughout the study area. The DEIR should evaluate these routes based on the origin-destination of potential casino employees and patrons. Based on this analysis, the Proponent should consider the feasibility of expanding some of these existing routes or consider new routes to encourage bicycle travel in and around the site.

The ENF does provide a basic inventory of existing pedestrian facilities within the study area but does not evaluate the quality of these facilities. The DEIR should provide a thorough inventory of all existing, planned, and proposed pedestrian services, facilities, and routes for accessing the site and should highlight deficiencies including pavement conditions, sidewalk widths, crosswalks, and compliance with current accessibility standards. The DEIR should provide specific commitments to any improvements necessary to the pedestrian network.

Conceptual Plans

The DEIR should include sufficiently detailed conceptual plans for the proposed roadway improvements to enable MassDOT to verify the feasibility of constructing the proposed improvements. The DEIR should include plans (preferably 80-scale), which should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access points and internal circulation) adjacent to areas where improvements are proposed.

Any proposed mitigation measures within the state highway layout, as well as internal circulation, must be consistent with a Complete Streets design approach that provides adequate and safe accommodation for all roadway users, including pedestrians, bicyclists, and public transit riders. Guidance on Complete Streets design is included in the MassDOT *Project Development and Design Guide*. Where these criteria cannot be met, the Proponent should provide the justification as to the reason why, and should work with the MassDOT Highway Division to obtain a design waiver.

Public Transportation

In accordance with the most recent edition of the *MassDOT/EOEEA Transportation Impact Assessment Guidelines*, MassDOT requires all new developments needing state highway access to provide multi-modal accommodations. This is particularly crucial for all casino proponents statewide, as these uses tend to be large generators of single-occupant vehicle traffic. A convenient and comfortable transit connection is a necessity in limiting the number of single-occupant vehicle trips.

The analysis provided in the ENF does not include a projection of expected mode split. While it is possible that the Proponent is assuming 100% single-occupant vehicle trips to provide a conservative analysis, they haven't explicitly stated this. Even if this is the case, it is imperative that the Proponent provides target mode splits for pedestrians, bicyclists, and public transit users. This will aid in future monitoring and will allow the Proponent to adjust the TDM measures accordingly and will provide a benchmark for MassDOT to determine if enough is being done to facilitate multi-modal access.

The DEIR should include a comprehensive analysis of existing and future conditions of transit services within the study area, and should identify existing frequency and capacity; provide a realistic projection of future demand; propose a comprehensive transit mitigation plan to reduce site vehicular traffic; and commit to key investments that will attract both employees and patrons to public transportation. MassDOT's expectation is that high-quality public transportation would be provided to the site, the details of which should be expanded upon in the DEIR.

The DEIR should describe the proponent's plans to provide seamless access for customers and employees arriving by over-the-road coach, urban transit buses, and shuttle buses. The DEIR should provide sufficient details to evaluate how customers and employees arriving by bus and other transit modes would have accommodations at least equivalent to those for customers and employees

arriving by private automobile. The Proponent should open and advance communications with the Brockton Area Transit Authority (BAT) and should provide a summary of those communications in the DEIR.

Parking

According to the ENF, the project would include approximately 3,000 parking spaces in the form of surface and structured parking. The DEIR should clarify how the parking needs of the project were determined and explain the methodology used to determine the total parking required. The Institute of Transportation Engineers' *Parking Generation* generally provides a reasonable basis for comparison to parking requirements under local zoning, but this reference does not present parking rates for this type of land use. The DEIR should include a summary of parking need and supply for comparable facilities based on multiple data sources. It should also determine the number of parking spaces occupied at various times of the day and identify the periods of peak use. The DEIR should compare the proposed supply to the City of Brockton parking requirements.

Transportation Demand Management

The ENF includes a draft transportation demand management (TDM) plan that should be expanded and refined in the DEIR. The measures should be specifically designed to serve the proposed uses and should have demonstrated successes at other similarly located facilities of comparable land uses. A preliminary list of measures to be provided included:

- Provision of a shuttle service to the site and location of a Brockton Area Transit (BAT) bus on site;
- Posting of transit information in prominent locations on site and on-site sales of transit passes;
- Provision of bicycle racks on site and hosting a bicycle sharing system;
- Identification of an on-site Transportation Coordinator;
- Providing on-site employee services such as an ATM, shower facilities, a cafeteria, and secure bicycle storage;
- Providing preferential parking for carpools/vanpools and low emissions vehicles;
- Providing electric vehicle charging stations on site;
- Subsidizing transit passes for employees; and
- Providing a guaranteed ride home program.

In addition to the public transportation plan discussed above, the TDM program should also provide an adequate site plan that clearly identifies existing and proposed connections for pedestrians and bicyclists; analyzes existing and future bicycle/pedestrian conditions based on the project's impacts; and commits to making improvements that will increase usage of those modes.

Transportation Monitoring

The Proponent would be responsible for implementing a traffic monitoring and analysis program that should be conducted semi-annually, commencing with initial occupancy of the project, and continuing thereafter for a minimum of five years following full occupancy of the project. The goal of the traffic monitoring program would be to evaluate the assumptions made in the DEIR and the adequacy of the transportation mitigation measures, as well as to determine the effectiveness of the TDM program.

We encourage the proponent to meet with the Public/Private Development Unit and appropriate MassDOT units including Highway Design, Traffic Operations, and the District 5 Office during the preparation of the DEIR. If you have any questions regarding these comments, please contact me or Derek Valentine at (857) 368-8885.

Taunton River Watershed Alliance, Inc
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Taunton MA 02780
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June 30, 2015

Secretary Matthew Beaton
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
100 Cambridge Street
Boston MA 02114

Via Email: page.czepiga@state.ma.us

Re: EOEEA #15370 Proposed Category 1 Gaming Establishment, Brockton

Dear Secretary Beaton:

The Taunton River Watershed Alliance, Inc. (TRWA) submits the following comments on the Environmental Notification Form (ENF) for the proposed casino resort project located on the former fairgrounds property in Brockton. TRWA is committed to the protection and restoration of the Taunton River, its tributaries and the special and irreplaceable ecosystems of its watershed. The TRWA takes no position for or against the establishment of gaming facilities in Massachusetts. These comments do not constitute either endorsement or opposition to the proposed project. They are intended to identify issues and questions that should be evaluated in the Environmental Impact Report (EIR).

Specifically we request that the scope for the EIR address the following matters:

Demand for water. The ENF indicates projected water supply use of 120,000 gallons per day (gpd). It states that the City has upgraded its water treatment facility and has the capacity to provide that amount to the Resort Casino as well as additional expansion capacity for future development. Brockton's water management practices which have included water withdrawal from Silver Lake, the Monponsett Ponds and Furnace Pond have caused significant environmental damage in the past, resulting in impaired water quality in those water bodies. In addition, the associated diversions of water from Stump Brook, Jones River and Herring Brook have resulted in low-flow or no-flow conditions in

those streams and severe degradation of habitat for fish and other aquatic life in those affected waterways. For many years, TRWA has advocated that Brockton adopt better water management practices that do not damage environmental resources. A water treatment plant upgrade may not eliminate the problems that result from large scale withdrawals and diversions.

The opening of the Aquaria Desalination Plant in Dighton provided the City with an alternative source of drinking water, but the City continues to rely heavily on the Silver Lake system, purchasing only the minimum annual amount of water required under its contract with Aquaria. Brockton has also failed to complete its Comprehensive Water Management Plan which should have been submitted to the Massachusetts Department of Environmental Protection in 2007; the Plan should outline a long-term strategy to reduce water use citywide and meet the City's future needs in an environmentally sustainable and protective way. The EIR should address in detail how the project's demand for water supply will be satisfied in a way that reduces the environmental impacts on Silver Lake, Monponsett Ponds and associated streams.

Wastewater treatment management. The ENF indicates that the project will generate a wastewater flow of 110,000 gpd. It refers to recent upgrades to Brockton's Advanced Water Reclamation Facility (AWRF) and states that the facility has the capacity to handle the additional flow with reserve expansion capacity for other future development. The Salisbury Plain River, to which the AWRF discharges is effluent-dominated in the area downstream of the plant, with effluent comprising more than 50% of its flow. Water quality impairment for aquatic macroinvertebrate assessments, excess algal growth, dissolved oxygen, total phosphorus, turbidity, taste and odor and fecal coliform is well-documented in the Salisbury Plain and Matfield Rivers downstream of the Brockton AWRF discharge. A river which is more than 50% effluent and fails to meet water quality standards under current conditions cannot assimilate any more effluent and meet water quality standards. The EIR should provide a detailed evaluation of how the project's discharge will be offset, for example by intensified commitments by the City to a program of flow reduction by water conservation and infiltration inflow reduction, and will enable the AWRF to meet water quality standards.

Compliance with LEED standards. The EIR should describe how the project will be designed and constructed to meet LEED (Leadership in Energy and Environmental Design) standards, or exceed them.

Maximized Use of LID. The EIR should describe how LID (Low Impact Design) techniques will be incorporated into design and construction of the project, especially through maximized use of groundwater filtration for stormwater management and use of native species in landscaping.

Commitments to mitigation for unavoidable impacts. We commend the proponent for utilizing a previously disturbed site for the project in order to avoid destruction of or impacts to natural undisturbed areas. However some aspects of the project will impact residents and businesses in Brockton and nearby communities. For example, the

projected increase in traffic of up to 17,358 vehicles trips per day is likely to cause unavoidable impacts to local and regional roadways. The EIR should describe in detail proposed commitments to mitigation that will be provided to the City and other impacted towns.

Thank you for considering these comments. We look forward to reviewing the Environmental Impact Report.

Sincerely,

Carl Brodeur, Vice President
The Taunton River Watershed Alliance, Inc.
1298 Cohannet Street
Taunton MA 02720
E-mail: director@savethetaunton.org

MEMORANDUM

TO: Page Czepiga, Environmental Reviewer, MEPA Unit

THROUGH: Jonathan Hobill, Regional Engineer, Bureau of Water Resources
Philip Weinberg, Regional Director
David Johnston, Deputy Regional Director, BWR
Maria Pinaud, Deputy Regional Director, BAW
Millie Garcia-Serrano, Deputy Regional Director, BWSC
Jennifer Viveiros, Acting Deputy Regional Director, ADMIN

CC: Elizabeth Kouloheras, Chief, Wetlands and Waterways
Greg DeCesare, Wetlands Program
Jeffrey Gould, Chief, Wastewater Management
Richard Rondeau, Chief, Water Supply
Pamela Truesdale, Municipal Facilities
Tena Davies, Wetlands and Waterways Program
Thomas Cushing, Chief, Air Quality/Permitting
Mark Dakers, Chief, Solid Waste Management
Leonard Pinaud, Chief, Site Management
Allen Hemberger, Site Management

FROM: Sharon Stone, SERO MEPA Coordinator

DATE: June 30, 2015

RE: ENF EOEEA #15370 – BROCKTON – Proposed Category 1 Gaming Establishment, Belmont Street, West Street, Forest Avenue, Thurber Avenue and Othello Street

****

"For Use in Intra-Agency Policy Deliberations"

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Environmental Notification Form (ENF) for the proposed Category 1 Gaming Establishment project to be located at Belmont Street, West Street, Forest Avenue, Thurber Avenue and Othello Street, Brockton, Massachusetts (EOEEA #15370). The project proponent provides the following information for the project:

"An ENF has been submitted to the Massachusetts Environmental Policy Act (MEPA) office for this project. The proposed project includes demolition of 110,000 square feet (sf) of existing structures at the Brockton Fairgrounds and construction of a Resort Casino to include a gaming facility (3,000 gaming positions), hotel (up to 300 rooms), restaurants, retail space, event and entertainment space, and back of house uses. According to the ENF, the facility will consist of approximately 512,000

square feet of floor area. The project also includes construction of a parking garage and surface parking (3,000 spaces total) and off-site roadway improvements. Off-site improvements include reconstruction of West Street at Forest Avenue to include a roundabout, widening of Forest Avenue and signalizing the primary site driveway and Memorial Drive intersections, and widening of West Street east of Forest Avenue to provide a secondary driveway to the site. As described in the ENF, the project will generate approximately 13,886 average daily trips (adt) Monday-Thursday; 17,358 adt Friday, and 22,530 adt Saturday. The project will consume approximately 120,000 gallons per day (gpd) of domestic water and generate approximately 110,000 gpd of wastewater."

The project requires a Highway Access Permit from the Massachusetts Department of Transportation and a Category 1 Gaming License from the Massachusetts Gaming Commission. The project also requires a NPDES General Permit for Construction from the U.S. Environmental Protection Agency and may require an Order of Conditions from the Conservation Commission."

Wetlands and Waterways Program Comments
The Wetlands and Waterways Program staff has reviewed the ENF and indicates no comments, questions or concerns with the information as presented for the project as the ENF claims that no work is proposed within jurisdictional Wetland Resource Areas. Mitigation for the project, such as road construction, may require work in jurisdictional areas off of the Project site. The areas in question appear to be small and can be addressed as a Limited Project will likely be permitted by the Brockton Conservation Commission.

Construction Stormwater Permit
The proponent indicates that the project construction activities may disturb one or more acres of land and therefore, may require a NPDES Stormwater Permit for Construction Activities. The proponent can access information regarding the NPDES Stormwater requirements and an application for the Construction General Permit at the EPA website: http://cfpub.epa.gov/npdes/stormwater/cgp.cfm

Stormwater Mitigation
The Proponent should investigate the storage and use of stormwater for irrigation of vegetation at the Project site in the EIR.

Bureau of Waste Site Cleanup
Based upon the information provided, the Bureau of Waste Site Cleanup (BWSC) searched its databases for disposal sites and release notifications that have occurred at or might impact the proposed project area. A disposal site is a location where there has been a release to the environment of oil and/or hazardous material that is regulated under M.G.L. c. 21E, and the Massachusetts Contingency Plan [MCP – 310 CMR 40.0000].

There are no listed MCP disposal sites located at or in the immediate vicinity of the proposed project area that might impact the site. Interested parties may view a map showing the location of BWSC disposal sites using the MassGIS data viewer (Oliver) at:

http://maps.massgis.state.ma.us/map_ol/oliver.php Under "Available Data Layers" select "Regulated Areas", and then "DEP Tier Classified 21E Sites". The compliance status of specific MCP disposal sites may be viewed using the BWSC Waste Sites/Reportable Release Lookup at: http://public.dep.state.ma.us/SearchableSites2/Search.aspx

The Project Proponent is advised that if oil and/or hazardous materials are identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) may be necessary. A Licensed Site Professional (LSP) should be retained to determine if notification is required, and render appropriate opinions as necessary. The LSP may evaluate whether risk reduction measures are necessary or prudent if contamination is present. The BWSC may be contacted for guidance if questions arise regarding assessment and cleanup under the MCP.

Wastewater Management Program Comments

The Wastewater Management section offers the following comments on the Proposed Category 1 Gaming Establishment project, to be located at the site of the existing Brockton Fairgrounds.

The Commonwealth has very little experience with average daily and peak wastewater flows from this type of a facility. We recommend that the flow be monitored in order to better understand the average and peak flows from this facility. This information is important to determine if infrastructure upgrades are necessary to collect and convey the wastewater generated to the Brockton treatment plant. Infiltration and Inflow (I/I) offsets are usually based on Title 5 (310 CMR 15.000) flows. These flows are designed with a factor of safety to accommodate peak flow periods. Generally these flows are twice the actual monthly daily average for each type of facility. The average daily flow from this facility should be measured and any I/I offset should be recalculated to reflect a calculated Title 5 flow number.

Based upon 314 CMR 7.00, Sewer System Extensions and Connection Permit Program regulations, there is no MassDEP permit required for this proposed construction. All approvals would be reviewed and approved by local authorities. The proponent appears to recognize this.

Wastewater Mitigation

The Proponent should investigate the use of gray water for irrigation in the EIR

Drinking Water – Water Management

The City of Brockton's major source of water is Silver Lake located largely in the Town of Pembroke. Because of overuse of this source, Brockton was required to identify another source of water and did so by contracting with Aquaria to supply water from its plant in Dighton. In order to reduce the stress on Silver Lake, the Proponent should investigate an agreement with the City that would offset the amount of water used by the Project with an equal amount of water purchased from the Aquaria plant.

Solid Waste Management Program

- Building Demolition and Asbestos Containing Waste Material: The proposed project includes the demolition of buildings and other structures which may contain asbestos. The project proponent is advised that demolition activity must comply with both Solid Waste and Air Quality Control regulations. Please note that MassDEP promulgated revised Asbestos Regulations (310 CMR 7.15) that became effective on June 20, 2014. The new regulations contain requirements to conduct a pre-demolition/renovation asbestos survey by a licensed asbestos inspector and post abatement visual inspections by a licensed asbestos project monitor. The Massachusetts Department of Labor and Work Force Development, Division of Labor Standards (DLS) is the agency responsible for licensing and regulating all asbestos abatement contractors, designers, project monitors, inspectors and analytical laboratories in the state of Massachusetts.

  - In accordance with the Air Quality Regulations at **310 CMR 7.09(2),** the proponent must submit a ***BWP AQ 06 Notification Prior to Construction or Demolition*** form to MassDEP for all construction or demolition projects. The proponent should propose measures to prevent or alleviate dust, noise, and odor nuisance conditions, which may occur during the demolition.

  - In accordance with the revised Asbestos Regulations at **310 CMR 7.15(4),** any owner or operator of a facility or facility component that contains suspect asbestos containing material (ACM) shall, prior to conducting any demolition or renovation, employ a DLS licensed asbestos inspector to thoroughly inspect the facility or facility component, to identify the presence, location and quantity of any ACM or suspect ACM and to prepare a written asbestos survey report. As part of the asbestos survey, samples must be taken of all suspect asbestos containing building materials and sent to a DLS certified laboratory for analysis, using USEPA approved analytical methods.

  - If ACM is identified in the asbestos survey, the proponent must hire a DLS licensed asbestos abatement contractor to remove and dispose of any asbestos containing material(s) from the facility or facility component in accordance with **310 CMR 7.15**, prior to conducting any demolition or renovation activities. The removal and handling of asbestos from the facility or facility components must adhere to the Specific Asbestos Abatement Work Practice Standards required at **310 CMR 7.15(7)**. The proponent and asbestos contractor will be responsible for submitting an ***Asbestos Notification Form ANF-001*** to MassDEP at least ten (10) working days prior to beginning any removal of the asbestos containing materials as specified at **310 CMR 7.15(6).**

  - The proponent shall ensure that all asbestos containing waste material from any asbestos abatement activity is properly stored and disposed of at a

landfill approved to accept such material in accordance with **310 CMR 7.15 (17).** The Solid Waste Regulations at **310 CMR 19.061(3)** list the requirements for any solid waste facility handling or disposing of asbestos waste. Pursuant to **310 CMR 19.061(3) (b)1.,** no asbestos containing material; including VAT, asphaltic-asbestos felts or shingles; may be disposed at a solid waste combustion facility.

- Asphalt, brick and concrete (ABC) rubble, such as the rubble generated by the demolition of buildings must be handled in accordance with Massachusetts solid waste regulations. These regulations allow, and MassDEP encourages, the recycling/reuse of ABC rubble. The proponent should refer to MassDEP's Information Sheet, entitled "Guide to Regulations for Using or Processing Asphalt, Brick and Concrete Rubble, revised February 2000", that answers commonly asked questions about ABC rubble and identifies the provisions of the solid waste regulations that pertain to recycling/reusing ABC rubble. This policy can be found on-line at the MassDEP website: www.mass.gov/dep.

If you have any questions regarding the Solid Waste Management Program comments above, please contact Mark Dakers at (508) 946-2847 or Cynthia Baran at (508) 946-2887.

Air Quality Construction Impacts

Construction and operation activities shall not cause or contribute to a condition of air pollution due to dust, odor or noise. To determine the appropriate requirements please refer to:

- 310 CMR 7.09 Dust, Odor, Construction, and Demolition
- 310 CMR 7.10 Noise

Air Quality

Many industrial, commercial and institutional development activities have facility heating and supplemental or emergency power generation associated with them that require air quality permitting from MassDEP before construction and/or operation.

The determination of when a permit is required is based on the size of the proposed combustion unit. Smaller units and specifically, engines (emergency and non-emergency), combined heat and power (CHP) units and some boilers may not require a specific Plan Approval but are subject to performance standards and certification, the requirements for which are found at 310 CMR 7.26. Specifically:

- 310 CMR 7.26(30) thru (37) – Boilers;
- 310 CMR 7.26(40) thru (44) Engines & Turbines (including 310 CMR 7.26(42) specific to Emergency Engines and Turbines); and
- 310 CMR 7.26(45) Combined Heat and Power

Any unit that exceeds the size limit or does not meet the applicability requirements of the above listed regulations will require a permit under 310 CMR 7.02.

It should be noted that should facilities operate one or more on-site back-up power generators when there is a threat of power loss as an operational practice rather than waiting for an actual power loss, operation of these generators under these conditions may exceed the emergency generator performance standard requirement of 300 hours during a 12 month rolling average. It is the obligation of the facility operator to determine which of the performance standards best fits the planned operational needs and comply with those standards. The Business Compliance Unit of MassDEP's Boston Office is willing to provide assistance regarding the applicability of these generators to the regulations.

Air Quality Impacts-Traffic

Vehicle Trip Projections

The total project build out of the proposed casino and resort is currently estimated to generate 13,886 new adjusted average daily trips (ADT) on weekdays and 17,358 ADT on Fridays. The gaming facility ADT is based on empirical trip generation data for casino gaming facilities in the eastern United States and Illinois and the hotel trip rates are based on the Institute for Transportation Engineer's *Trip Generation* for a resort hotel.

MassDEP understands that this is a preliminary projection of the ADT anticipated to occur from the proposed project. In the subsequent environmental filing, MassDEP requests that the project proponent provide data that are parsed for employees and patrons of the project (instead of presenting one lump figure) for each use of the proposed project (hotel, casino, and restaurants). In addition, MassDEP requests that the subsequent environmental filing show the estimated reduction in vehicle trips that are expected to occur from patron and employee use of private coaches, bicycles, walking, and other modes of transportation.

Mesoscale Analysis

The new vehicle trip projection exceeds MassDEP's review threshold of 6,000 daily trips for mixed use development requiring an air quality mesoscale analysis of project related emissions. The purpose of the mesoscale analysis is to determine to what extent the proposed project trip generation will increase the amount of volatile organic compounds (VOCs) and nitrogen oxides (NOx) in the project study area.

The proposed project is also subject to the MEPA Greenhouse Gas Emissions Policy and Protocol (Policy), as amended on May 5, 2010. The Policy requires the project proponent to quantify project-related carbon dioxide (CO_2) emissions and identify measures to avoid, minimize, and mitigate these emissions. The mesoscale analysis should also be used for this purpose.

The mesoscale analysis for VOCs, NOx and CO_2 must compare the indirect emissions from transportation sources under future No Build, Build, and Build with Mitigation conditions. Subsequent environmental filing regarding the project should include the results of the mesoscale analysis for VOC, NOx, and CO_2 emissions under these

conditions. The Build with Mitigation condition should reflect the local roadway improvements and transportation demand management (TDM) measures to be implemented by the proponent to reduce vehicle trips to the project.

Transportation Demand Management Measures

Because the project is estimated to attract an estimated 13,886 ADT on weekdays and 17,358 ADT on Fridays, it will have considerable impact on the project's surrounding roadways and communities both in congestion and increased vehicle emissions. MassDEP acknowledges the proponent's consideration of the following TDM measures to reduce this impact: 1) creation of a shuttle bus stop and a varied schedule of bus service by the Brockton Area Transit Authority (BAT) at the project; 2) designation of an on-site employee transportation coordinator; 3) promotion of and dissemination of materials on public transportation; 4) preferential parking for carpools, vanpools and low emission vehicles; 5) commuter pass subsidies for employees using the BAT; 6) participation in MassRIDES; 7) posting of 'no idling' signage; 8) provision of pedestrian and bicycle site access maps; 9) on-site employee services, such as showers; and, 10) a bicycle sharing program.
MassDEP requests that the proponent commit to implement each of these valuable measures that together help form a balanced multi-modal transportation access plan. MassDEP adds that bicycle parking should be convenient, weather protected and allow for space to meet future demand. The proponent should also identify the employee transportation coordinator's employer and whether the coordinator will be employed full or part-time.

In addition, MassDEP recommends that the proponent:

- Provide and promote commuter vouchers, discounts and/or other financial incentives for patrons who use public transportation, carpools or vanpools to the project;
- Operate a shuttle bus from the MBTA Commuter Rail Station in Brockton to the site;
- Provide electric vehicle charging stations for employees. In view of the expected growth in the use of electric vehicles across the state in the coming years, MassDEP requests that the proponent plan to equip a minimum of one percent of the 3,000 available parking spaces with electric vehicle supply equipment (Level 1 or 2 dual-head charging stations) and make ready additional wiring infrastructure for future deployment of additional charging stations;
- Offer alternative work schedules to all employees as well as staggered work shifts, where appropriate, to reduce peak period traffic volumes;
- Work with the City of Brockton and the Massachusetts Department of Transportation (MassDOT) to help establish designated bike lanes on local project area roadways;
- Design and construct benches, lighting, and other elements to increase walking to the site; and,

- Participate in the SmartWay Transport Program sponsored by the U.S. Environmental Protection Agency (EPA), a public/private collaboration between the EPA and the freight transportation industry that helps freight shippers, carriers, and logistics companies reduce greenhouse gas and other mobile source emissions.

Parking Management Measures

Since the ENF does not describe parking rates, the 3,000 parking spaces expected at the project are presumed to be free of charge. The availability of ample free parking for mostly off peak regional travel to an entertainment site with convenient highway access can counter the effect of the alternative mode incentives proponents provide for a project of this nature. MassDEP believes that to effectively reduce the use of the private automobile, a TDM program must also include an aggressive parking management plan that minimizes the parking supply allowed by local zoning and institutes incentive pricing to make driving alone in a vehicle less appealing than traveling in an alternative mode. MassDEP thus recommends that the proponent:

- Charge market rate prices for parking spaces used by single occupancy vehicle (SOV) drivers and keep parking free for carpoolers and vanpoolers; and
- Offer parking cash-out incentives to employees whose parking is provided. This strategy encourages employers/tenants to provide employees with an option for compensation for not utilizing dedicated parking spaces, thus encouraging employees to seek alternative modes of transportation.

MassDEP requests that the proponent state explicitly how each TDM will be implemented in the subsequent environmental impact report. If project tenants will be carrying out the measures, MassDEP requests that the proponent requires their implementation as a condition of their lease.

<u>Construction-Related Measures</u>

MassDEP requests that the proponent use construction equipment with engines manufactured to Tier 4 federal emission standards, which are the most stringent emission standards currently available for off-road engines. If a piece of equipment is not available in the Tier 4 configuration, then the proponent should use construction equipment that has been retrofitted with the best available after-engine emission control technology, such as oxidation catalysts or diesel particulate filters, to reduce exhaust emissions. The proponent should provide a list of the engines, their emission tiers, and, if applicable, the best available control technology installed on each piece in the subsequent environmental filing.

<u>Regulatory Requirements Regarding Transportation Emissions</u>

The proponent and the proponent's lessees at the project must comply with the following two Massachusetts transportation-related regulations.

Massachusetts Rideshare Regulation

MassDEP implements the Rideshare Regulation (310 CMR 7.16), a clean air program that requires employers to implement a series of incentives designed to reduce the

number of trips made by employees who drive alone to work. To date, employers with 1,000 or more employees and employers with 250 or more employees that are also subject to the Air Operating Permit Program (as detailed in MassDEP's regulation, 310 CMR 7.00, Appendix C) must comply with the Rideshare regulation. Should the proposed project employ 250 or more employees, the proponent should contact MassDEP at 617-292-5500 or see:
http://www.mass.gov/eea/agencies/massdep/air/programs/rideshare.html

Massachusetts Idling Regulation

The Massachusetts Idling Regulation (310 CMR 7.11) prohibits motor vehicles from idling their engines for more than five minutes unless the idling is necessary to service the vehicle or to operate engine-assisted power equipment (such as refrigeration units) or other associated power. The subsequent environmental filing should address how the proponent will ensure compliance with the regulation.

Greenhouse Gas Policy

The Brockton Casino project is subject to the May 5, 2010 version of the MEPA Greenhouse Gas Emissions Policy and Protocol ("the Policy") because it requires an Environmental Impact Report (EIR). The policy is available on MEPA's website:
http://www.env.state.ma.us/mepa/downloads/GHG%20Policy%20FINAL.pdf

The project requires the proponent to calculate emissions under two scenarios. The first is the project's baseline direct and indirect mobile and stationary source emissions using the version of the Massachusetts State Building Code in effect at the time of the ENF filing. The second scenario, the "preferred alternative", requires the proponent to outline and commit to a series of mitigation measures that will help reduce GHG emissions from the proposed project's baseline, calculate the direct and indirect mobile and stationary source emissions and show the emissions reductions and energy saving estimated to be achieved. The proponent should also discuss the rationale and emissions reduction potential of measures not selected.

The Department encourages developers to consider design options that will allow them to cost effectively integrate efficiency or renewable energy measures in future when it is more financially or technically feasible. The proponent should not discount mitigation measures even if it not currently feasible to quantify the GHG reduction impact including recycling of construction and demolition debris, integrating renewable/recycled-content building materials as well as water conserving approaches such as low flow plumbing fixtures, gray water reuse, and low impact landscaping and irrigation designs. All these measures will be considered when evaluating whether the project mitigated its GHG emissions to the greatest practicable extent. The Department recommends that the following energy efficiency measures be addressed in the DEIR:

- Minimize energy use through building orientation: The subsequent filing needs to note clearly how the buildings will be oriented, why, and the expected impacts on energy usage.

- Energy Efficient Lighting- The subsequent filing should provide information on the exterior and interior lighting. For interior spaces, enhanced of "Super 8" lighting, T5 or metal halide lighting should be installed, for exit signs, LED lighting.

- Use efficient, directed exterior lighting: The subsequent filing should provide information on the exterior and interior lighting.

- Install high-efficiency HVAC systems: The subsequent filing needs to provide information regarding the HVAC systems. Although there is a potential for additional first costs with highly efficient systems, more efficient units provide definite economic benefits over the life of the system.

- Incorporate window glazing to balance and optimize day lighting, heat loss and solar heat gain performance. The subsequent filing should include the U-value of the windows to be used, which should be greater than code for the particular application.

- Incorporate super insulation to minimize heat loss: The project proponent should evaluate using the highest R-value insulation available. In general, providing the best building envelope possible provides the greatest gains in energy savings for building operations and insulation is generally very cost effective.

- Energy Star certified appliances- install energy-star certificated appliance where applicable.

- Third Party Building Commissioning – The subsequent filing should fully consider building commissioning, and for it to be conducted by a third party to ensure the commissioning process is thorough and energy performance of the building is maximized. In accordance with the Green Communities Act, building code revisions will be issued that will make building commissioning required for all non-residential buildings greater than 10,000 square feet.

- Lighting Motion Sensors, Climate Control and Building Energy Management Systems - To ensure that the energy systems function as designed long term, a strategy should be developed for monitoring energy performance of all buildings where the energy systems are centrally controlled, possible through a building management system. A building energy management system can incorporate basic energy saving measures such as lighting and climate control. Climate and lighting control should definitely be included for the building. Lighting control can provide savings for spaces that are occupied infrequently, such as storage areas. A system or strategy for monitoring energy performance would be expected to pay for itself through eliminating potential inefficient building energy operations, such as heating and cooling operating simultaneously in January.

- On-site renewable energy – At minimum, buildings should be oriented and roofs should be constructed to support the added weight of a solar photovoltaic (PV) system for potential installation during project construction or at a future date. The EIR should include a detailed feasibility analysis for the potential installation of on-site renewable energy. The proponent should visit the MA DOER website www.mass.gov/doer and www.commonwealthsolar.org for further details and/or contact Natalie Andrews for more details at natalie.andrews@state.ma.us

As the project moves forward, it is recommended that the project proponent contact the New Construction division of its electric utility provider and its natural gas provider to take advantage of any potential rebates available for the installation of highly energy efficient equipment.

Proposed s.61 Findings

The "Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form" may indicate that this project requires further MEPA review and the preparation of an Environmental Impact Report. Pursuant to MEPA Regulations 301 CMR 11.12(5)(d), the Proponent will prepare Proposed Section 61 Findings to be included in the EIR in a separate chapter updating and summarizing proposed mitigation measures. In accordance with 301 CMR 11.07(6)(k), this chapter should also include separate updated draft Section 61 Findings for each State agency that will issue permits for the project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.

The MassDEP Southeast Regional Office appreciates the opportunity to comment on this proposed project. If you have any questions regarding these comments, please contact George Zoto @ 508-946-2820.

Brockton Conservation Commission

CITY HALL, BROCKTON, MASSACHUSETTS 02301

RECEIVED
JUL 01 2015
MEPA

June 24, 2015

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Environmental Notification Form
Proposed Category 1 Gaming Establishment
Belmont Street, West Street & Forest Avenue
Brockton, Massachusetts

Dear Secretary Beaton:

On behalf of the City of Brockton Conservation Commission, I write to provide comment on the Environmental Notification Form (ENF) for the proposed Category 1 Gaming Establishment at Belmont Street, West Street & Forest Avenue in Brockton, Massachusetts. Comments will focus on impacts within the City of Brockton only, although the commission requests the department carefully consider the environmental impacts to the region of as a whole.

Wetlands and Waterways

Table 1 summarizes wetland and waterway resources located on the project site or at the location of proposed offsite improvements. Listed resources were reviewed per information available from the Massachusetts Global Information Systems data layers.

Table 1 Selected MassGIS Environmental Data Layers

Mapped Resource On or Within Proximity to Site	Yes	No
Area of Critical Environmental Concern		✓
NHESP Certified Vernal Pool		✓
NHESP Potential Vernal Pool		✓
NHESP Established Habitat of Rare Wildlife		✓
NHESP Priority Habitat of Rare Species		✓
Outstanding Resource Waters		✓
FEMA Flood Zones	✓	
Surface Water Protection Area		✓
Interim Wellhead Protection Area		✓
Zone II Wellhead Protection Area		✓

According to the latest FEMA Flood Insurance Rate Map (FIRM) for the area, dated July 17, 2012, traffic mitigation measures proposed at the intersection of Belmont Street (Route 123) and West Street are located within FEMA Flood Zone A. Under the Wetlands Protection Act (WPA) and its regulations at 310 CMR 10.00, work within a FEMA Flood Zone requires the applicant obtain an Order of Conditions issued by the local conservation commission.

Stormwater Management

The ENF describes a proposed stormwater management plan that is to be designed in compliance with the Massachusetts Stormwater Standards. The plan will consist of LID (Low Impact Development) techniques, potential underground detention systems that will increase both stormwater treatment and infiltration. The applicant agrees to work with the City of Brockton to evaluate and mitigate potential impacts to the existing municipal stormwater infrastructure. At the ENF scoping session, the applicant indicated the existing municipal stormwater system in the vicinity of the project may need to be upgraded. Depending on the extent of the improvements, portions of this work may be jurisdictional under the Wetlands Protection Act.

Compliance with the Stormwater Standards requires the proponent to design the project using environmentally sensitive site design that not only includes use of LIDs but also uses techniques to minimize impervious surfaces. The project should consider use of additional parking structure facilities as a way to reduce the extensive impervious surface associated with the proposed 3,000 surface parking spaces. Reducing the amount of impervious surface will reduce the stormwater runoff from the project minimizing the cost of the stormwater management system, will reduce or eliminate the need for offsite drainage infrastructure improvements and will reduce the amount of thermal mass created by the proposed surface parking.

The Brockton Conservation Commission appreciates the opportunity to comment on this ENF your careful consideration of the potential environmental impacts of this project.

Very truly yours,

Stephanie Danielson
Chairperson

June 26, 2015

RECEIVED
JUL 01 2015
MEPA

116 Morse Ave.
Brockton, MA 02301

Attn: MEPA Office
Page Czepiga, EEA, No. 15370
Executive Office of Energy and Environmental Affairs
100 Cambridge St., Ste. 900
Boston, MA 02114

IN RE: Proposed Casino on Brockton Fairgrounds

To: Secretary Matthew Beaton
Executive Office of Energy and Environmental Affairs

Sir:

I am writing as a homeowner who lives only a few doors from the Brockton Fairgrounds and adjoining Brockton High School Campus.

Despite the contrivance of our local newspaper with the Fairgrounds owner, Mr. Carney, and our mayor and city department heads, all the residents I know are unanimously against allowing a casino to be built here.

One might hope that the newspaper would report all viewpoints, pro and con, about this topic, but even the short item listing your address and explaining how I could submit my opinion was buried in the middle of the paper. Almost no mention has been made of the unified opposition to the casino from the city's churches.

New Bedford's old commercial waterfront is the logical place for a casino as the centerpiece of a much needed redevelopment project – **not a school zone in Brockton.**

Sincerely,

S Ameduri

Stephen Ameduri

[illegible]

[illegible]

[illegible]

[illegible]
[illegible]
[illegible] Office of Energy and Environmental Affairs
[illegible] Commonwealth [illegible]
[illegible]

Re: [illegible] Proposed Closing on Recreation Improvements

Dear Secretary Wanderer Perkins
Executive Office of Energy and Environmental Affairs

Sir:

I am writing as a concerned citizen who lives only a few doors from the [illegible] Recreation Facility [illegible] Hill National Campus.

As [illegible] the contributor of the local newspaper with the [illegible] and our mayor and city department heads, all the neighbors I know are [illegible] against allowing a casino to be built here.

[illegible]

[illegible] has funded [illegible] National to provide [illegible] been made or the [illegible] opportunity to the cash-strapped city's character.

[illegible] traditional commercial [illegible] is the logical place for a casino [illegible] centerpiece of a much needed redevelopment program — not a school meant to [illegible]

Sincerely,
[illegible]

[illegible]