



*Office of the Board of Selectmen*

*136 Elm Street*

*North Easton, Massachusetts 02356*

December 29, 2008

Ian A. Bowles, Secretary  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

RE: Response by Easton Board of Selectmen to South Coast Rail ENF

Dear Secretary Bowles:

As the Commonwealth of Massachusetts struggles to balance its budget while continuing to provide basic services in a deteriorating economic climate, we understand how difficult it is to balance competing priorities. The Governor's transportation agenda is one such example. While we fully respect his commitment to expand commuter rail service to Fall River and New Bedford through the Stoughton Alternative, it will only further strain state financial resources and result in irreversible – but avoidable – environmental damage. Accordingly, we urge you to support the selection of Alternative 44, as outlined in the November 2008 South Coast Environmental Notification Form prepared for the Executive Office of Transportation, as the only viable and practicable alternative for the South Coast Rail Project.

Alternative 44, *Bus Rapid Transit in Dedicated Lane to South Station via Route 24, Route 128 and Southeast Expressway HOV Lane*, would fulfill the Governor's commitment to expand transportation options for Southeastern Massachusetts and offers the best alternative by fully meeting the requirements of MEPA/NEPA while resulting in the least environmental impact. It is our hope that the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency, under their joint review authority of section 404(c) of the Clean Water Act, will concur with our contention that Alternative 44 is the only option that fully meets all conditions of the CWA.

As clearly stated in the EPA Guidelines at 40 CFR 230.10(a), "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental impacts." It would:

- Provide public transit between New Bedford/Fall River and Boston;
- Make the best use of existing transportation infrastructure while minimizing potential environmental impacts;
- Utilize an existing transportation corridor on Route 24;
- Improve operations on Route 128 with a new dedicated HOV bus lane;

- Require no wetland filling in either the Hockomock or Fowl Meadow Areas of Critical Environmental Concern;
- Require no work in proximity to certified or potential vernal pools.

Additionally, Alternative 44 is consistent with smart growth principles because it will:

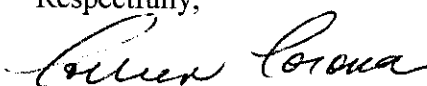


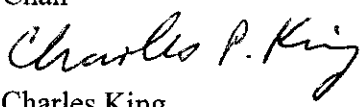

- Serve two historic population centers (New Bedford and Fall River);
- Result in no loss of farmland, historic or archaeological resources;
- Promote redevelopment in four clusters of brownfields sites as identified in the ENF; and
- Encourage the location of the Fall River and New Bedford stations in developed areas while locating other bus transit stations in undeveloped areas near highways.

If the MBTA is allowed to construct the rail line through the Hockomock Area of Critical Environmental Concern, it will result in irreparable harm through the direct filling of over 14 acres of state wetlands, and at least 7.5 acres of federal wetlands. Further, it will degrade 30 vernal pools, 20 of which are certified and therefore considered Outstanding Resource Waters, fragment the largest freshwater vegetated wetland in Massachusetts, degrade an Area of Critical Environmental Concern (ACEC), and result in damage to at least seven state-listed rare and endangered species.

These impacts are avoidable. While we accept the need to encourage increased mass transit options for Southeastern Massachusetts, the Easton Board of Selectmen is resolute in its belief that the intent and spirit of state and federal law must be respected by selecting the least damaging practicable alternative.

In closing, we urge you to give full consideration to Alternative 44 before you issue the conditions that must be addressed in the Draft Environmental Impact Report.

Respectfully,

		
Colleen Corona Chair	John Haederle Clerk	Ellen Barlow Selectman
		
Charles King Selectman	Irwin Cohen Selectman	

cc: Congressman Stephen F. Lynch  
 Robert Varney, Regional Administrator, US EPA Region 1  
 Secretary of Transportation, James Aloisi  
 Senator Thomas Kennedy  
 Senator Brian A. Joyce  
 Representative Geraldine Creedon  
 Representative David L. Flynn  
 Representative Christine Canavan  
 Easton Board of Selectmen  
 Marc Rousseau, Director of Planning & Community Development