



Massachusetts Chapter

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Comments on the 2004 Annual Update for the Transit Commitments Administrative Consent Order Number: ACO-BO-00-7001

1. Circumferential Transit Improvements in the Urban Ring Corridor

The Club has several concerns regarding the proposed Phase 2 of this project:

- Phase 3 appears to have nothing to do with Phase 2 yet it is being presented as a direct consequence of the construction of Phase 2. Phase 3, by whatever mode, will be a completely separate project of great complexity and cost that may not even serve many of the many corridors now claimed as part of the Urban Ring.
- The labeling of Phase 2 as a public transit project is misleading. Phase 2 appears to be a clever and innovative way to leverage scarce transit funding for what will actually be a series of roadway projects throughout the Urban Ring catchment area.
- Phase 2 is not a "rapid transit" project, notwithstanding the FTA's very loose definition of what constitutes bus rapid transit (BRT).
- The additional surface bus trips envisioned in Phase 2, and to some degree Phase 1, may actually worsen traffic congestion in several key activity centers within the Urban Ring catchment area. This will have a negative result on ridership estimates for this project as well as other existing surface transit services in the Urban Ring corridor.
- The operating costs for both Phase 1 and 2 may reduce investment in existing MBTA services as well as future projects now under review.

Therefore, it might be more productive in the long term to proceed directly to an analysis of Phase 3 fixed guideway options (to include light rail, heavy rail, as well as other technologies) rather than advancing Phase 2 at this time. It may have been premature to have included the Urban Ring as part of the Administrative Consent Order of September 2000 between EOTC and DEP. The original Central Artery/Tunnel Project Transit Commitment to "Link radial transit lines with bus connections" was fulfilled with the inauguration of the three CT crosstown bus routes. Ongoing monitoring and improvements to the three existing CT routes and existing crosstown bus routes, as described in the **e. MBTA Service Planning Process** of the 2004 Update, could continue the Urban Ring process while allowing Phase 3 to be better defined.

2. Completion of the Silver Line Transit Service

Silver Line Phase I - Dudley Square to Downtown Crossing (Surface Route):

In 1987 the MBTA tore down the old elevated Orange Line between Dudley and downtown Boston. A commitment by the MBTA to provide a "better to or equal" replacement service to the residents of Roxbury and Dorchester has yet to be honored.

"It is imperative that a replacement service equal or better than the Washington Street elevated be identified in order to provide for the public transit needs of this population..." – Summary, Section 1.0 Purpose and Need, Page I, Alternatives Analysis and DEIR – **Replacement/Transit Improvement Study**, MBTA, June 1987. This is, the MBTA acknowledges, one of the most transit dependent communities in the state.

For 15 years the substitute service was a fleet of dirty diesel buses contributing to asthma rates six times the state average. This, after the MBTA claimed that quiet all electric buses would be quickly implemented on Washington Street between Dudley Square and downtown Boston after the loss of the Orange Line.

In 2002 the new "Silver Line" bus service was introduced along Washington Street. While the MBTA has recently touted its success due to recent ridership gains, it never mentions the same results could have been realized with improvements to the former number 49 bus service operated along Washington Street between 1987 and 2002. The circuitous and time-consuming route through downtown Boston followed by the Route 49 bus prior to 2002 was certainly not designed to attract ridership. Nor were the junk buses and lack of a free bus to rail transfer at Downtown Crossing. Why did it take 15 years?

One thing is for sure – What runs on Washington Street is **not rapid transit**, no matter how it's packaged. While the new buses are cleaner than the old buses, they still provide an inferior service in comparison to the Orange Line.

Is the Silver Line is a public project benefiting all parties equally, or do certain groups realize a disproportionate share of the benefits, while Boston neighborhood residents, many of them members of minority communities, get little in return? There is little doubt for who the Silver Line is actually being constructed. It's part of the significant public infrastructure investment in the emerging South Boston Waterfront area of Boston. Developers of property adjacent to the new Silver Line stations can now significantly reduce their need for garage space, and increase densities and profits, based on the existence of a subway line into the area. Unlike Washington Street, a surface bus system was not acceptable and a very expensive tunnel had to be constructed.

If indeed, the same expenditure of public funding had been made on both end of the so called "Silver Line," Phase I of the Silver Line would be now operating through a brand new underground tunnel between Boylston Station and Dudley Station complete with new multi million dollar designer underground stations.

There wouldn't be any doubt that an equal investment of public funds had been made in both Phase 2 of the Silver Line, between the Waterfront and South Station, and Phase 1, from Dudley Station in Roxbury to Boylston Station. All Silver Line stakeholders would now be enjoying equal benefits.

Unfortunately, to now ride both ends of the Silver Line is to understand how transit apartheid is still practiced in Boston long after such practices were supposed to have been consigned to the history books.

Silver Line Phase III - New England Medical Center to South Station Tunnel

"Pending the ability to secure necessary federal funding, the MBTA will construct a tunnel between the portal connecting to Phase I and South Station."

Still more variations on the connection of the Phase 3 Core Tunnel Alignment (connecting Boylston and South Stations) with a surface portal connecting Phases 1 and 3 have been recently presented. It's becoming very clear that the MBTA has, as a very high priority, the successful completion of a Silver Line Core System extending from the Waterfront to Boylston Station.

However, the provision of a connection between Boylston Station and Phase 1 of the Silver Line may be more problematic due to the complexities of such a project. It could also result in a long and circuitous routing for Phase 1 service resulting from the choice of a final portal location.

Without such a connection, the much delayed commitment to: **Complete Washington Street Replacement Transit** will still remain unfulfilled.

Although many observers consider Phase 1 of the Silver Line to be an inadequate replacement service, even with a direct connection to Phase 3, if the MBTA intends to proceed with this project the following stipulations must be adhered to:

- Phase 3 can't be permitted until funding (State and Federal) for all of Phase 3, including a connection to Washington Street is secured. The Phase 3 Core Tunnel Alignment, between South and Boylston Stations, is being design to operate **independently** of a full Phase 3 build out and connection to Washington Street. Given the Boston MPO's long standing history of capital disinvestment in public transit infrastructure to low income neighborhoods of color within the city Of Boston, any cost overruns in the Core Tunnel Alignment portion of the project could be used to justify not completing the full Phase 3 build out.
- The final engineering and design work for all of Phase 3, including a connection to Washington Street, is completed and reviewed.

- A final portal location is selected and all rights of way on both public and private lands secured, all necessary land takings completed, and all legal challenges resolved.
Given the Boston MPO's long-standing record of capital disinvestment in public transit infrastructure to low-income neighborhoods of color within the city of Boston, any procedural delays could be used as justification to indefinitely postpone the full build out of Phase 3.
- The final surface routing of Phase 1 buses into the Phase 3 subway connection has not been so compromised by the final choice of portal location as to significantly reduce the effectiveness of such a connection.

However, even with above constraints, the Club, along with many other commentators, still questions the decision to combine the Washington Street Replacement Transit Service project with the Silver Line/South Boston Piers Transitway project:

- Is there a true or overwhelming community of interest between the communities served by the Silver Line Washington Street Replacement Transit Service proposal and the South Boston Waterfront?
If a large market now exists between the neighborhoods of Dorchester, Roxbury and Mattapan, to the South Boston Waterfront district and Logan Airport, through Dudley Station, **then why isn't the MBTA's CT3 bus now serving this market at all times?** Although the MBTA did extend the CT3 to Logan from Dudley Station for a short trial period, this turned out to be a failed experiment due to **lack of ridership**, the case has still not been made that a Green Line replacement strategy through downtown Boston wouldn't provide a greater potential ridership base as opposed to the Silver Line option.
- Earlier proposals to provide a Green Line light rail replacement service by utilizing existing tunnels leading out of Boylston Street were never thoroughly evaluated as to their effectiveness as contrasted to the Silver Line 3 option.
- Greater ridership benefits may well be realized from constructing a separate Green Line Replacement Service project, plus a separate Phase 3 Silver Line core tunnel alignment to Boylston Station only.
- It may be less expensive, disruptive and controversial to extend the existing Green Line tunnels under the Turnpike to a new portal location in the South End, rather than proceeding with any of the Silver Line 3 options to connect the core tunnel alignment with a surface portal.
- Phase 2 of the Silver Line was originally estimated to cost 473 million, but is now over 600 million dollars. Similar cost overruns on either the Core section of Phase 3, or to a portal for Washington Street, could be very difficult to manage.

Although future development in the emerging waterfront district may increase public transit usage from **all areas**, it's certainly possible that a market it can be argued that more of a community of interest exists between the **Back Bay and the South Station/ South Boston Waterfront districts**, than exists between much of the Washington Street Replacement Transit Service corridor and the South Station/ South Boston Waterfront districts.

There has been a great deal of recent interest in exploring various strategies to better connect the Back Bay with the South Boston Waterfront/Convention Center. There have been proposals to run commuter rail shuttles between the Back Bay and the South Boston Waterfront/Convention Center, to operate a vast fleet of private shuttle buses and to construct various roadway options, among others.

Does it make any sense to connect Phase 3 of the Silver Line to the Washington Street Replacement Transit Service project, when the overwhelming transfer demand may come from the Green Line Central Subway lines entering downtown Boston through the Back Bay?

Silver Line Phase III Public Process:

The Silver Line is now defined as a combination of the former South Boston Piers Transitway project (both phases), and the Washington Street Replacement Transit Service project (both phases), with a resulting corridor extending from the South Boston Waterfront to Mattapan Square.

The attempt by the MBTA to phase in public involvement in the entire Silver Line project effectively locks out most of the stakeholders along **both Phase 1 and 3** who will be impacted by this massive public works project.

While it would have been appropriate for the South Boston Waterfront Transit Advisory Committee (SBWATC) to act in an advisory capacity to the MBTA on service and operational issues resulting from Phase 2 of the Silver Line project, it's clear that SBWATC did not represent the majority of stakeholders impacted by either Phase 1 or 3 of the Silver Line, or the extension of the Washington Street Replacement Transit Service project beyond Dudley Station to Mattapan Square.

In reality, **the MBTA appears to be using the SBWATC process as a mechanism to validate the initial preliminary engineering and design stages of a much larger project whose many stakeholders are not represented by**

SBWATC. Those stakeholders will then be presented with a project that may not be in their best interests, and one in which they had little or no input.

The lack of a true public process involving all stakeholders in the proposed Silver Line project, and its obvious inequalities in terms of funding priorities continue to make the Silver Line project a prime example of the Boston MPO's refusal to make the changes needed to bring it into compliance with stated environmental justice policies.

5. Alternative Fuel Bus Purchase

a. Schedule:

"The MBTA is now developing plans for the full retirement of the diesel buses. As new buses come into service, old buses are removed from service and no longer used. While the older buses are no longer in service, they are still on the MBTA property. These buses are stored at the Everett Facility as well as other bus facilities as space provides. The MBTA is now developing one larger plan to remove the buses from the property.

Due to some additional MBTA operations, some of the older buses are being used for shuttle services. For example, due to construction at North Station, shuttle buses are running between Lechmere and North Station. Additionally, shuttle buses are running at certain times on the Ashmont branch of the Red Line as the new stations are being built. These services require the MBTA to use a fleet larger than its standard fleet, and some of the older buses are used to fill in the shortfalls. When these projects are completed, however, these buses will no longer be used. The MBTA will keep the DEP apprised of its progress towards complete retirement of the older buses."

The MBTA may be violating prior commitments to retire all pre 1989 and 1989 diesel buses by December of 2004 by using the "shuttle bus" argument presented above. Since the beginning of 2005 several observers have reported seeing MBTA buses dating back to 1984 in service on existing MBTA bus lines. Since the continuing use of these vehicles could now be considered a public health danger, the DEP needs to be advised of the status and location of all existing MBTA buses to determine if any 1989 or earlier buses are still being operated on regular MBTA routes or on temporary shuttle services.

The MBTA should also be required to determine future shuttle bus needs and furnish this information to the DEP. Such an analysis should already be a part of the MBTA planning effort for upcoming projects requiring temporary substitute bus services.

If an ongoing need exists for a small fleet of buses to provide temporary shuttle services in support of ongoing or planned projects, then the MBTA needs to acquire additional new vehicles to supplement its existing base fleet for this purpose.

6. Retrofit All Remaining in-service diesel buses with emission control equipment

b. Schedule and Status:

5. Implementing an emissions monitoring and maintenance plan for diesel buses to maintain the emission control equipment of the retrofit buses.

Recent developments such as the documentation of higher pollution levels inside, not outside, of school buses in California, in addition to increasing health concerns over the impacts of very small particulate from sources such as internal combustion engines, would suggest this plan be expanded to include the inside of buses, as well as what comes out of the tailpipe. Most newer transit buses now feature closed HVAC systems, which if not properly monitored or maintained, could allow engine exhaust flows to reach passengers.

Ongoing emissions monitoring, with an emphasis on small particulate matter, of areas subject to high diesel bus usage, such as the Harvard Square bus tunnel, should be included in any such plan.

11. Arborway Restoration (Green Line Service)

a. Project Description:

“The project involves the restoration of Green Line service from Arborway to Heath Street (where E Line service currently terminates).”

As has been consistently pointed out by the Club and other commentators, the Arborway Branch of the MBTA's Green Line has always been defined as a continuous corridor extending from Forest Hills Station in Jamaica Plain to *Park Street Station* in downtown Boston, *at a minimum*. The MBTA has continually attempted to break this corridor into two separate pieces: the present temporary number 39 Copley/Forest Hills surface bus line; and the remainder of the Arborway E line subway/surface line still in operation between the VA Hospital (Heath Street) in Jamaica Plain and Lechmere Station in Cambridge via the Green Line Central Subway.

There is no valid precedent for this action on the part of the MBTA and the impacts of both the abandonment and restoration of the outer portion of the Arborway Line must be considered in the context of the entire Arborway Line as described in the draft 1987 *Arborway Transit Study*. 310 CMR 7.36 (2) specifically calls for *Arborway Green Line Restoration*, and not just for the restructuring of a surface bus line operating between Forest Hills and Copley Square; **nor the construction of a surface streetcar line between Heath Street Loop and Forest Hills in Jamaica Plain**. In addition, the proposed substitution does not meet the criteria set out in 310 CMR 7.36 (3)[2]: *The substitute transit facility or service must serve at least the same number of passengers in the same transportation corridor as the original transit improvement project*.

Although a restored Arborway Green Line branch would share a terminus with the Orange Line at Forest Hills, the two lines serve different markets. The same could be said for the C and D Green Line branches – both meet at Cleveland Circle yet serve different markets through Brookline.

b. Schedule:

The MBTA and the Boston MPO still refuse to advance this project and apparently have no intention of doing so. As the MBTA has not advanced any new or creditable arguments precluding Arborway Restoration, it would appear to be in violation of the Transit Commitments Administrative Consent Order.

We say new or creditable arguments because the MBTA has been circulating, without public review, still more rehashed arguments against Arborway Green Line restoration. This forces project proponents to, once again, spend enormous amounts of time and effort reviewing and rebutting new variations on old and discredited assumptions. In the meantime, the MBTA does nothing. The intention is obviously to outwait project proponents until they give up.

No further delay in Arborway Green Line Restoration must be allowed. Otherwise, process means nothing and participatory planning becomes a sham. When the State wishes to move forward on a project, it finds a consensus. A hall full of people objecting to a project means little if the state wants to advance its agenda, but only a few people whispering in the shadows can be the lack of consensus needed not to proceed.

c. Public Process:

The following remarks were included in the Arborway Committee's submission to DEP of February 16, 2005 and aptly describes the true public process undertaken by the MBTA.

“The Arborway Service Reliability and Neighborhood Impacts Report (hereinafter Impact Report) dated January 13, 2005, and the Travel Forecast for the Arborway Streetcar Restoration Analysis (hereinafter Travel Report) dated January 19, 2005, issued by the MBTA regarding the Arborway Green Line Restoration Project are the predictable result of the transit authority's long-standing goal of abandoning the Arborway Green Line. The conclusions reached by the reports are unjustified on the record, not supported by a fair interpretation of the facts, and in breach of public process.

In 2002, the MBTA at the request of the Department of Environmental Protection (DEP) established a public review process in Jamaica Plain to plan for the restoration of Green Line service. A public oversight committee, the Arborway Rail Restoration Project Advisory Committee (ARRPAC), was appointed to meet regularly, solicit public comment, review data, and provide input on the project. ARRPAC was composed of both residents and merchants, and individuals who favored and who opposed restoration.

Between spring 2002 and spring 2003, ARRPAC met regularly to discuss issues that were incorporated into the Expanded Environmental Notification Form (3/18/03). Since spring 2003, however, ARRPAC has met only twice, and since February 2004, it has not met at all. Despite repeated requests to the MBTA by ARRPAC members to convene a meeting, the MBTA refused to do so. Members were told that there was nothing to report. This was untrue.

There was much to report. During 2004, while keeping its public advisory committee in the dark, the MBTA was busily gathering materials and preparing its reports on the Arborway project in secret. The data used in developing the reports were prepared in secret, individuals mentioned in the reports were interviewed in secret, and the reports themselves were written in secret.

Having intentionally excluded its own public advisory committee from the process of developing the Impact and Travel Reports, the conclusions reached in these secret reports are no surprise. Hidden from public view and absent public input, the reports' conclusions were driven by one overarching goal—to kill the Arborway project at any cost. They are based upon half-truths, distortions, and incomplete statistical analysis. The public at large and governmental decision-makers in particular are not well served by reports such as these.”

While reviewing the above referenced **Travel Report**, the Club found several major flaws in the methodology used in its preparation:

- Ridership and air quality modeling assumptions were not based on full Arborway Green Line Restoration between Forest Hills and Park Street, at a minimum, but instead on a corridor corresponding with the present 39 bus route between Forest Hills and Copley Square. The results are therefore meaningless.
- There is still no adequate explanation for the significant Green Line ridership just to Heath Street on the Arborway corridor as contrasted to the route 39 bus. Although Green Line service to Heath Street had also been suspended between Brigham Circle and Heath Street Loop for several years, by the early nineties it was again operating through to Park Street. MBTA statistics now show much greater ridership on the Green Line portion of the Arborway corridor to Heath Street than on the 39 bus portion. Yet both the number 39 bus and existing Green Line service overlap on the heaviest portions of the Arborway corridor between Copley and Heath Street Loop. The earlier and dramatic ridership losses on the 39 bus during the years following the end of through Arborway to Park Street Green Line service were never recaptured and apparently were lost to other modes, most likely the automobile. From our read on the statistics presented by the MBTA over the years, a major ridership shift from the Arborway Green Line corridor to the Orange Line corridor did not take place after the end of Green Line service to the Arborway in 1985.
- The use of FTA New Starts criteria in determining the cost effectiveness of Arborway Restoration, as presented on page 34 of the **Travel Report**, is inconsistent with existing and past MBTA practices as applied to other Green Line reconstruction or procurement initiatives. This isn't a new project.

As for the above referenced **Impact Report**, nothing new is presented, especially in regards to any impacts resulting from the operation of 300 daily surface bus trips between Forest Hills and Copley Square.

12. Red-Blue Connector

b. Project Status:

The project also appears to be in abeyance. Given the complexity of the Connector project, and the fact that a major rebuilding of Cambridge Street is soon to be completed, it may be worthwhile to evaluate several measures that could be undertaken if this project is subject to any further delays:

- Construct a pedestrian connector between State and Downtown Crossing Stations. Such a connection would allow for a direct transfer between the Red and Blue Lines and would be beneficial to many riders even with a Red/Blue connector at Charles Street. The distance between the two downtown stations is not great, and a cost/benefit analysis should be done for such a connection.
- Earlier transit planning studies had advanced the concept of extending the Blue Line from Government Center to Park Street Station by means of a deep bore tunnel underneath Beacon Hill. Not only would this allow for a direct connection with the Red Line, but also with all the Green Line branches. Such a connection would have added

significant capacity to the subway system between Park and Government Center stations. It might well be worth the effort to reconsider this earlier proposal.

- Massport's AITC service, utilizing the Phase 2 Silver Line tunnel to South Station, when ramped up to full service in March or April, may well prove to be much more successful than anticipated. There may be a ridership shift away from the Blue Line, as well as significant new ridership generated between South Station and Logan.

13. Green Line Extension to Medford Hills

a. Project Description:

This project was to have been completed by 2011 and yet the MBTA has only just begun an alternatives analysis. Like the Arborway Green Line Restoration, EOT and the Boston MPO have no real intention of meeting the target date for completion of this project. The study must be expedited to ensure that final engineering and design of this extension can be completed and construction begun on this project. The original target date of 2011 to begin Green Line service on this extension must be met. There is no good reason why this delay has been allowed to occur.

The temporary shutdown of the Green Line to Lechmere would have been an excellent opportunity for the MBTA to have undertaken the relocation of the existing Lechmere Station to a new location necessary for the extension. Even a temporary relocated station would have served the purpose pending the full build out of the North Point development. Nothing was done.

There is no reason why a combined Green Line/Urban Ring busway couldn't be constructed to Union Square in Somerville if the Green Line study recommends such an option.

The Urban Ring can't be substituted for this radial rail project. The benefits of this Green Line extension are significant and will surpass those of Phase 2 of the Urban Ring for the communities of Medford, Somerville, and perhaps even Cambridge. These communities can't wait for Phase 3 of the Urban Ring.

Thank you

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