

Cambridge Citizens for Liveable Neighborhoods^{Inc.}

P.O. Box 19, Cambridge, MA 02238 / (617) 354-5670

1994 JUN 23 PM 3:44

CAMBRIDGE MA.



June 23, 1994

Robert W. Healy
City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

RE: CA/T Project
Proposed Mitigation Agreement

Dear Mr. Healy:

We have reviewed the draft of the Mitigation Agreement between the City of Cambridge and the Massachusetts Highway Department ("MHD"), which you submitted to the City Council under cover of your letter dated May 23, 1994. These measures do virtually nothing to mitigate the adverse impacts of the construction and operation of the CA/T project, including particularly the currently proposed Charles River Crossing ("son of Scheme Z"). Instead, they constitute a new project of road and rail and related work much of which we believe will have significant adverse impacts on the environment and the quality of life in Cambridge. These impacts were not considered in either the Federal or the State environmental reviews of the CA/T Project under NEPA and MEPA.

Therefore, the mitigation measures project now must be subjected to MEPA review due to the MHD's involvement in the planning, construction, financing, permitting, and approval of the measures. All of these measures must be considered to be one project for MEPA review purposes since the MEPA Regulations (301 CMR 11.17) provide in part:

"In determining review threshold status and conducting project review, the entirety of a proposed project, including likely future expansions, shall be considered, and not separate phases or segments thereof."

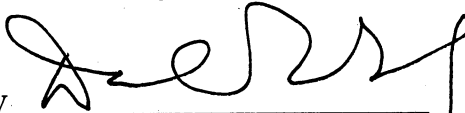
The mitigation measures project as a whole clearly exceeds the thresholds which require both an EIR and an ENF as provided in 301 CMR 11.25 (9), (10), (11), and (19). Moreover, the mitigation measures project, for which MHD will provide

financial assistance, exceeds the review thresholds requiring an ENF as provided in 301 CMR 11.27 (3)(a)2.b and (4)(a)(4) and (5).

The MEPA Regulations provide that since an EIR is an informational planning document which will inform project proponents and decision-makers of the environmental effects of the activities proposed, "EIRs must be prepared and the environment considered as early in the project planning and decision-making process as is practicable, and in any case, before the final decision is made." (301 CMR 11.01(4)). Therefore, before the Mitigation Agreement is entered into between the City and the MHD, an EIR must be prepared for the measures contained therein with full public review and comment, as provided by MEPA.

Sincerely,

Cambridge Citizens for
Liveable Neighborhoods

by 
Daniel E. Geer, Jr.

cc: The City Council

Cambridge Citizens for Liveable Neighborhoods^{Inc.}

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OFFICE OF CITY CLERK
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VIA COURIER

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

To the Honorable City Council:

Please find enclosed an issue that should be brought to your attention as well.

Sincerely,

Daniel E. Geer, Jr.
for Cambridge Citizens for
Liveable Neighborhoods

Consent Comm. # 26 5 321

Comm. from Daniel E. Geer, Jr., Cambridge
Citizens for Liveable Neighborhoods,
regarding the CA/T Project - proposed
mitigation agreement.

In City Council,

June 27, 1994

Referred to the
City Manager
for a response
with discretion
And Referred to
the Traffic and
Transportation
Committee

6/28/94 Copy sent to
City Mgr (de)

Copy sent to Traffic &
Transportation 6/29/94
(de)