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January 3, 2020

BY ELECTRONIC MAIL AND FIRST CLASS MAIL

Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office, Erin Flaherty
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Northeastern University Coastal Sustainability Institute; EEA No. 16046

Dear Secretary Theoharides:

The Town of Nahant ("Town") appreciates the ability to comment on the Notice of Project Change/Phase I Waiver Request & Draft Environmental Impact Report ("DEIR") filed by Northeastern University ("NEU") for the proposed Coastal Sustainability Institute project on the NEU Marine Science Center ("MSC") campus in Nahant (the "Project"). The Town has continued concern regarding impacts of the Project, including but not limited to, damage to the Town's valuable infrastructure, adverse impacts on a potentially archeological significant site, and the potential improper segmentation of a beach restoration project on the property.

In January of 2018, NEU filed an ENF, intending to upgrade its seawater intake system to 2,400 gpm (EEA# 15793). This ENF was withdrawn upon direction by MEPA and NEU was instructed to file for the Project as a whole. Additionally, in 2018, NEU completed a study, funded by a Coastal Resiliency Grant from Massachusetts Office of Coastal Zone Management (CZM), of a proposed cobble berm construction project at Canoe Beach, which abuts the buildings/bunkers on the Property. NEU conducted that study in consultation with CZM, MEPA and DEP. On May 31, 2019 NEU filed an ENF describing the proposed Project as redesigning the current seawater intake system to increase its capacity (the intake and effluence will increase from an average of 291 gpm to 600 gpm), constructing a new pump house, new parking and a new 55,000 sf building on top of the exiting Murphy Bunker at the property.

NEU is now requesting a Project Change and Phase I Waiver to segment the intake system out and allowing it to proceed ahead while the proposed new building and parking undergo proper MEPA review. As stated below, the Town still has concerns regarding the size of the proposed intake pipes as compared to the size of the intake system and the removal of

the former intake systems. Moreover, the Town objects to the Project Change as it could result in segmentation of the Project, and allowing it to proceed ahead and be constructed will foreclose the ability to accurately identify alternatives. In fact, as MEPA previously required NEU to withdraw the ENF for the intake system and refile for the whole Project, the grant of a Phase I Waiver would fly in the face of MEPA's previous position.

Further, the Town is not satisfied that segmentation has not already occurred, specifically because future restoration work on Canoe Beach is not being considered. Any such segmentation is detrimental to the Project as a whole as the proper alternatives will not be considered. The Secretary required that the DEIR "address measures to improve the resiliency of the site and the project to these effects, including analysis of shore protection measures for Canoe Beach." Certificate, 9. NEU has ignored the Secretary's directive by stating "[c]urrently, NU does not plan any further work on [Canoe] beach." DEIR, 1-24. If this is in fact so, then the Town requests that NEU provide additional information through a supplemental DEIR detailing how it intends on protecting the Project and its utilities from storm damage and what specific shore protection measures will be implemented.

With regard to alternatives, the Town feels that all alternatives have not been explored. With a reduction in parking as described above as well as relocating portions of new space, it appears that Alternatives 1 and 2 can be reconsidered. And, with or without a reduction in parking, it appears that locating all or some of the expansion behind the Edwards Laboratory building, as presented to the Town as "Option C" in December of 2018 (See Attachment), was not considered in this DEIR, and should be. It also appears that the relocation of the geothermal field was never considered. Further, as described above, the Town is concerned that allowing the Project Change will also limit alternatives as a pump house is proposed to be constructed and once constructed could foreclose on alternative building layouts and designs. In short, the Town is not confident that all alternatives have been explored.

The Town submitted comments on July 23, 2019 expressing concerns related to the size of the intake pipes, traffic, infrastructure, environment and historic resources. Many of these concerns were dismissed by NEU as beyond the scope of the Certificate or still remain. As detailed in the July 23, 2019 comment letter, Nahant is the smallest municipality in the Commonwealth with land area at just one square mile of primarily residential use and deriving approximately 95% of its tax base from residential properties. The Town has never seen a development of such magnitude and serious infrastructure concerns due to the proposed Project such as sewer upgrades and road improvements must be addressed and mitigated by NEU. The Town still remains concerned about its fragile infrastructure and the Project's impact thereto. Sewer lines, water lines and roads are valuable assets and are threatened by the construction and use of the Project and are not considered through the ENF or the DEIR as NEU has simply dismissed these concerns as "beyond the scope of the Certificate." The review under MEPA is meant to be a comprehensive review and in this instance, the comprehensive impact of the Project to Nahant's infrastructure should be considered. The Town has a serious, viable concern regarding its aging infrastructure, and its ability to support this large-scale Project. For example, the increased volume of sewerage documented in the ENF has been reviewed by the Town's sewer pump station operation and maintenance contractor and due to the proposed increase expected from the Project, an increase in 2 of the 3 force pumps is recommended in

order to provide additional capacity. Furthermore, the force main pipe from Wharf Street to Ward Road and the force main pipe from Ward Road to Lynn Water and Sewer Treatment Plan are known to need significant repairs or replacement. Over the last several years, the Town has experienced multiple breaks and emergency repairs on the force main, one of which cost roughly \$1.2 million. Increasing the volume of sewerage into the Town's already vulnerable infrastructure will have an impact on the timeline of necessary repairs that could cost upwards of \$15 million.

It has previously been determined through a 5-year paving plan that many of the Town roads were in desperate need of repair. Specifically, the current backlog of outstanding repairs as of January 2019 is \$1,485,092. The Town is concerned about the impact of construction vehicles on our already damaged roadways and once the Project is constructed, with approximately 99 additional parking spaces, traffic is expected to double. If that impact leads to a shortened life expectancy of the Town's roadways, the Town may have difficulty keeping up with the costs of repairs. This is another concerning impact that supports the consideration of less parking spots and more shuttle service. The addition of this Project, the largest development in Nahant, without considering the Town's infrastructure is irresponsible.

Additionally, the coastal bank at 40 Steps Beach has experienced significant erosion from past winter storms. Nahant Road, the main thoroughfare to MSC, is above this coastal bank and major utilities reside beneath it. The Town believes it is crucial to restore the coastal bank because of concerns for further erosion and potential failure leading to essential infrastructure becoming compromised. The Town has been informed that the cost of a coastal bank restoration project at 40 Steps Beach is between \$300,000 and \$1 million dependent on the design. A Construction Management Plan, required by the Secretary but not included in this DEIR, would provide significant information to help understand the impact of this proposed development on our susceptible infrastructure.

While NEU states that construction traffic is addressed in the DEIR, the Town is also concerned with operational traffic. The increase of approximately 96 parking spaces will significantly increase the traffic in and out of Nahant which is via a single causeway. NEU should supply estimated traffic trips and mitigation measures for this increase in traffic. Alternatively, NEU should, at a minimum, seek a reduction in the required parking and provide additional shuttles to and from the Project to reduce traffic, emissions and impervious surfaces which would be an improvement with regard to the impact to the environment over the current proposal. Further, a reduction in parking could create additional and possibly more viable alternatives to the current Project.

The Town remains concerned about the size of the proposed two new 14-inch diameter HDPE intake pipes that will replace the two existing 6-inch diameter HDPE pipes. These proposed pipes appear to be oversized for the proposed intake of 600 gpm and are more suited for a 2,400 gpm intake system (which was previously proposed and withdrawn). Also, while NEU publically claims that the proposed intake system will be limited to 600 gpm, submittals associated with the ENF reveal that NEU modeled up to a 2,400 gpm intake system. NEU should design the system intake pipes for a 600 gpm if that is all they intend to use with this expansion project. Moreover, if the Project Change is granted, the Secretary should require

that there be no increase in the flow or to the system (such as additional pumps) until all required permits for the Project are granted and are final.

The Town expressed concern that when NEU previously updated its intake system to the current intake system, it was required to remove the older intake system and this removal was not done to completion. While the Town has requested that NEU be required to submit a plan to completely remove the older intake system and the current intake system with full restoration prior to the installation of the new proposed intake system, this request is addressed by NEU claiming that “[d]etails will be provided during the permitting phase.” The Town responds by requesting that NEU be required to submit plans detailing the removal and restoration and that no work on the Project commence until said plans have received all necessary approvals.

The Town further notes that its concerns regarding the partial demolition of the Murphy Bunker and the impact to archeological resources have not been addressed. It is still unknown how construction will take place and what mitigating measures are being proposed to protect and preserve the historically significant structure. While the Town understands that NEU intends to consult with the Massachusetts Historical Commission and obtain an archaeological permit, it is necessary to again stress the importance of Nahant’s historical and archaeological resources. These investigations and reviews should occur prior to any MEPA approval.

Moreover, the Town requested testing for contaminants (due to the property being a former military base) be conducted. NEU responded by indicating that some testing has been done with contaminant levels being below reportable limits, but has failed to indicate the nature of said testing or provide the results. This information should have been included in the DEIR.

Not only have some of the concerns documented in the multiple ENF comment letters been dismissed, certain requirements outlined in the Certificate have also been dismissed or ignored. For example, a Construction Management Plan (“CMP”) was required, yet one was not supplied. Considering the magnitude of the Project construction on the Town, a draft CMP should be provided through a supplemental DEIR.

As described above, concerns are well founded regarding the Project and its alternatives with a majority of the concerns dismissed or unaddressed and therefore, the Town respectfully requests that the Secretary require that 1) NEU consider changes to the Project such as a reduction in parking to address traffic and environmental concerns; 2) provide revised alternatives or develop new alternative proposals in coordination with the Town; and 3) provide the missing information outlined above through a Supplemental DEIR.

Very truly yours,

Town of Nahant Board of Selectmen,

By,



Antonio Barletta, Town Administrator