

REGIONAL TRANSPORTATION ADVISORY COUNCIL

Summary of January 11, 2006 Meeting

This meeting was held at the Volpe National Transportation Systems Center, 55 Broadway, Kendall Square, Cambridge, MA.

1. Chair's Report - *Steve Olanoff, Chair*

Steve Olanoff, Chair, called the meeting to order at 3:07 PM. (For attendance see the attached attendance list.)

As part of his Chair's report, Steve Olanoff made the following announcements:

The next Boston Region Metropolitan Planning Organization (MPO) Open House will be held on Tuesday, January 17, in the MPO Conference Room in the State Transportation Building, Boston. The MPO plans to hold open houses every other month. Topics to be discussed are: Journey to 2030, the development of the Draft FY 2007-2011 Transportation Improvement Program (TIP), the Unified Planning Work Program (UPWP), the MBTA Capital Investment Program (CIP), the Mobility Management System (MMS) Program, Suburban Transit Opportunities.

The February Advisory Council meeting will be back at the State Transportation Building in Conference Room No. 1. The March meeting will be there as well and not at the Volpe Center again as previously announced.

The PowerPoint presentation from the December 2005 Advisory Council meeting's Draft MassHighway Project Development and Design Guidebook briefing is available on the MassHighway guidebook website at www.mass.gov/mhd. It is listed under "Additional Information" and is on the "Document Overview" link.

There will be an MPO Transportation Planning and Programming Committee Suburban Mobility/Transportation Demand Management Subcommittee Meeting next Thursday, January 19, 2006 at 1:30 PM in the MPO Conference Room. The guest speaker will be Susanne Rasmussen, Director of Environmental and Transportation Planning for the City of Cambridge. The public is invited.

The next meeting of the MPO Transportation Planning and Programming Committee will be held on Thursday, January 19, 2006 at 10:00 AM in the MPO Conference Room.

2. Approval of Meeting Minutes of December 14, 2005

MOTION: A motion to approve the draft meeting minutes of December 14, 2005, as amended in the next paragraph in italics, was made by Herb Pence and seconded by Fred Moore. This motion passed unanimously.

Frank DeMasi gave highlights from the December 14, 2005 Freight Committee meeting's discussion on New England Transrail LLC (NET) proposed Wilmington and Woburn Terminal Railroad Project. See Attachment 3 to these minutes for details.

Marcy Crowley requested that changes be made to the discussion on the NET Project. At the December Advisory Council meeting, it was proposed that the Advisory Council vote to endorse a letter from the Freight Committee to the Surface Transportation Board (STB) on this project. Marcy Crowley stated that it was not appropriate for the Advisory Council to take a position on this and that correspondence was also inappropriate. After discussion, it was the unanimous consensus of the Advisory Council to support Marcy Crowley's position. Individual members of the Freight Committee or other individual members may advocate on the topic representing themselves, but the Advisory Council will not take a position.

3. Announcements

The Department of Environmental Protection (DEP) has extended the deadline for submitting public comments on the Proposed Amendments to 310 CMR 7.36: Transit System Improvements to January 17, 2006. For more information, visit the DEP website at <http://www.mass.gov/dep/>.

Due to this extension, the Chair asked the membership if they supported the Advisory Council Executive Committee's sending another comment letter to the DEP on the State Implementation Plan (SIP) transit commitments, similar to the letter the Advisory Council sent on January 14, 2005. To read this letter, go to the January 2005 Advisory Council meeting minutes on the MPO website at <http://www.ctps.org/bostonmpo/index.htm>. Given that comments are due January 17 and there would not be time to finalize a draft with the membership prior to sending it, the letter will be drafted and sent by the Advisory Council Executive Committee based upon the discussions at the meeting.

Points and Issues Raised During Discussion

It appears that the proposed amendments to the proposed regulations are attempting to change the rules by which future changes can be made. They are proposing that substitutions be allowed after passing an air quality analysis. I fully expect them to come back a year from now with a new set of substitutions. The uncertainty of these projects in turn creates uncertainty for developers and other investors which may cause them to reconsider their investments, which I think could be bad for the regional economy. (Jeff Levine)

Highway widening and parking lot building is continuing to proceed at the expense of mass transit improvements, which reduces air quality improvements and contributes to a sprawl land use pattern. I also have concerns about the transparency of this public process. I would endorse a no delay/no substitution approach in this letter as I have previously stated on behalf of the APT. (Fred Moore)

The good news is that the importance of the MPO process has been recognized in this regard with the further recognition that these projects must be included in the Plan and the TIP. In addition, the Advisory Council is involved through the Transportation Planning and Programming Committee. (Steve Olanoff)

I have been unable to obtain a full air quality analysis for the construction of the additional suburban parking spaces. (Bill Deignan) *David Mohler should be contacted about this.* (Anne McGahan)

We are advisory to the MPO. Should we not submit a separate advisory letter to them as well? (Frank DeMasi) *I believe that the letter will speak for itself. However, since an item called "Regional Transportation Advisory Council Report" has been added to the MPO Transportation Planning and Programming Committee agenda, I will bring it up at that time at the next Transportation Planning and Programming Committee meeting.* (Steve Olanoff)

We are advisory to the MPO; they are not an advisory to us. (Marcy Crowley)

MOTION: A motion to authorize the Executive Committee to submit comments to the DEP on behalf of the Advisory Council with a copy being attached to the minutes of this meeting was made by Fred Moore and seconded by Bill Deignan and Marcy Crowley. This motion was approved unanimously.

For additional announcements, see Item #1, "Chair's Report", above.

4. Workshop on Journey to 2030: The current development of the next Long-range Regional Transportation Plan of the Boston Region Metropolitan Planning Organization - Anne McGahan, Regional Transportation Plan (Plan) Manager, and Sean Daly, Transportation Improvement Program (TIP) Manager, Central Transportation Planning Staff (CTPS)

MPO staff provided a brief overview of JOURNEY TO 2030, the long-range transportation plan of the Boston Region MPO. It included the tasks to be undertaken and the public involvement activities that will occur over the course of the Plan's development. The Corridor and Connection Needs Map and the Universe of Projects Map were provided at the meeting for the Council to review and mark up with any additional needs. The Council members were also asked to provide ideas on the six policy topics for use in visioning.

The frequency of Plan updates was previously every three years under TEA-21 and is now every four years under SAFETEA-LU. The schedule for this Plan is as follows:

- Start of draft development: November 2005.
- Model output: February 28, 2006
- Public review period for draft Plan starts: June 2006
- MPO approval: August 2006
- Federal approval: September 30, 2006

Plan development activities will include, but not be limited to:

- document existing conditions by updating last plan's demographics and population
- document the existing transportation system
- document any projects implemented since the 2003 Plan
- document trends since 1990
- perform a needs analysis
- develop a needs assessment for the region, including information from the last Plan, the MBTA's Capital Investment Program, the Mobility Management System (formerly the Congestion Management System), Environmental Justice outreach, and other applicable MPO studies, including the freight study
- review and update the MPO's goals and policies
- develop project selection criteria
- develop future scenarios based on projected revenues over the next 25 years to ensure that the Plan is financially constrained
- develop visions based on the six topic areas of the updated goals and policies which are under review by the TPPC
- update the Universe of Projects List to include, among other things, the latest outreach efforts and projects initiated since the 2003 Plan
- perform an Environmental Justice analysis to ensure regional equity

In addition, MPO staff will update the model to include smaller traffic analysis zones (TAZs). It will also perform a 2000 base case analysis, using census data to calibrate the model. MAPC is updating demographic data. There will be two sets of data, one will be a baseline and the other one will not be the final MetroFuture set, but will be one that is derived from work performed to date. Model outputs will include transit trips, auto trips, vehicle miles of travel, vehicle hours of travel, and average speed.

Public outreach started in November and will continue for the duration of the process. It will include four focus groups, one in each compass point of the MPO region, briefings to the Metropolitan Area Planning Council (MAPC) Subregional Groups and MPO Open Houses. MPO Open Houses will be held every other month during the development process, with the next one being on January 17. Topics are announced in TRANSreport, the monthly newsletter of the MPO. It may be read on-line at <http://www.ctps.org/bostonmpo/index.htm>. Press the "REPORTS, STUDIES AND DOCUMENTS" button and find TRANSreport at the top of the list.

For more information on JOURNEY to 2030, go to the MPO website at <http://www.ctps.org/bostonmpo/index.htm>. The "Journey to 2030, Transportation Plan" button is located underneath the "REPORTS, STUDIES AND DOCUMENTS" button.

Points and Issues Raised During Discussion

In terms of demographics, how can we address population decline (Where we currently are) population stability (What would that take?), and increase in population throughout region (What would that take?)? If we don't address some of the things, we will be faced with building fewer projects for fewer people with less money. (Vincent Lawrence Dixon) *The Plan must be completed before the final MetroFuture population projections are completed. RPAs (Regional Planning Agencies), such as MAPC, must update their population projections every ten years based on the census and MPOs are required to update their plans every three to four years. (Anne McGahan)*

What is included as part of the SIP commitments for the first model run? Why did they include everything both old and new? Is this considered a No-Build run? (Jeff Levine) *There were 14 motions considered by the Transportation Planning and Programming Committee to determine the first model run. This is not a "No Build" scenario. A "No Build" scenario will be run once the preferred land use is determined. (Anne McGahan and Steve Olanoff)*

Are we connecting transportation infrastructure constructions with smart growth land use intentions presented by the Romney Administration in reference to the "Universe of Projects" list handed out? Will there be flexing of highway funds to transit? Will the MPO continue to fund highway safety improvements for non-smart grown areas in lieu of transit expansions? (Fred Moore) *The Universe of Projects is a list of all of the projects suggested to date. It is not a final selection list. Selections will be made from this list. In the past, highway money was not flexed to transit. However, that discussion is still on going with the MPO. (Anne McGahan) The MPO has reached a level of sophistication where they can tell the difference between a safety improvement and an expansion. (Steve Olanoff)*

MAPC said that they need information from CTPS in order to complete MetroFuture. Is this true? (Marcy Crowley) *The MPO is on schedule to complete the Plan, as required. Due to that requirement, the model runs that will provide the data on land use, population projections, and other demographic information must be performed by CTPS for the MPO for the Plan first before they can be performed by CTPS for MAPC for MetroFuture. (Anne McGahan) MetroFuture updates will be given to the Subregions at either their January or February meetings. (Steve Olanoff) There will basically be a ping ponging between CTPS and MAPC on modeling, both by design and by MPO mandate. Consult Barbara Lucas for more information on this. (Wig Zamore)*

How do federal matching funds play into project prioritization? (Rob Rottenbucher) *The MPO primarily deals with federally funded projects. (Sean Daly)*

Does the air quality conformity MOU need to be revised because the MBTA is not doing the transit planning? The MPO should look at health impacts of pollution and how it affects environmental justice communities. This can't be done just by running air quality models. (Wig Zamore) *No, the MOU does not have to be revised. The MPO does not analyze health effects of the clean air regulations. That is a Department of*

Environmental Protection (DEP) function. (Anne McGahan) This would be a good topic for a briefing at a future Advisory Council meeting. (Steve Olanoff and Frank DeMasi)

Council members drew their ideas on the maps provided by staff. These ideas will be incorporated into the comments matrix and the universe of projects, if applicable. Some of these map ideas included:

Transportation Needs:

Rail trail from Lower Falls to Riverside

More park & ride in Peabody on the Danvers right-of-way

Light rail on the Saugus Branch into Assembly Square using DMU or electric technology with a parallel bike trail (pilot project of rail with trail)

Riverway bike trail from Back Bay to Ruggles

Route 9 capacity improvements in Brookline and Newton

North/South rail connection along Grand Junction

Visioning:

Mobility – Set specific percentage targets to improve non-auto mode share

5. Advisory Council Committees

Freight - *Domenic D'Eramo & Frank DeMasi - Co-Chairs*

Due to the change of meeting place, no Freight Committee meeting was held this day.

Attachment 3 contains the notes from the December 14, 2005 Freight Committee meeting. See Item #2 – Previous Meeting Minutes above for additional freight discussion. The next meeting of the Freight Committee is tentatively scheduled for Wednesday, February 8, 2006 at 1:00 PM in the MPO Conference Room, Suite 2150, 10 Park Plaza, Boston. Frank Rogers of the Providence and Worcester Railroad is tentatively scheduled to brief the Committee.

Regional Transportation Plan (Plan) - *Sherri Walker and Caroline Connor, Co-Chairs*

Due to the change of meeting place, no Plan Committee meeting was held this day.

Transportation Improvement Program (TIP) - *Jeff Levine, Chair*

There was no activity to report.

Unified Planning Work Program (UPWP) - *Steve Olanoff, Chair*

There was no activity to report.

Membership - *Frank DeMasi, Chair*

Frank DeMasi asked for suggestions on how to increase membership. He is concerned about declining attendance. He stated that CTPS staff is conducting a 2006 attendance audit and membership list update. Ed Lowney suggested placing notices and information on local cable access television stations.

Program - *Richard Canale, Chair*

There was no activity to report.

6. Member Items for Discussion

Romin Koebel asked about “The Plan”, an initiative he has recently heard about that is underway in Cambridge. Marilyn Wellons stated that it appears on the Internet and has been generated by an organization called CITYminusTRAFFIC [www.cityminustraffic.org/fgt/model.html]. She wondered if it is a trial balloon for the resurrection of the discontinued Inner Belt. A person associated with the CITYminusTRAFFIC plan apparently has some association with the Kennedy School of Government. As the Council is aware, the EOT’s study of Transportation Alternatives at Allston Landing is due soon. In the interest of time, this discussion was deferred until a later time and may become a briefing topic for a future Advisory Council meeting.

7. Other Business

Bill Moore, CTPS, reminded everyone that next month’s meeting would be held in the State Transportation Building, as will all remaining monthly meetings in 2006.

8. Adjournment

A motion to adjourn was made by Dom D’Eramo and seconded by Marvin Miller. This motion passed unanimously and the meeting was adjourned at 4:35 PM. Members stayed until 5:00 PM to add their suggested ideas to the Plan Universe of Projects maps.

Attachments:

1. Attendance List for January 11, 2006
2. 01-17-06 Proposed Amendments to 310 CMR 7.36: Transit System Improvements (“SIP Commitments”) Comments Letter from the Advisory Council to the DEP
3. 12/14/05 Freight Committee Meeting Notes

CTPS/WAM/wam

ATTACHMENT 1: Attendance List for January 11, 2006

**Attendance List
January 11, 2006**

Cities and Towns

Boston: Tom Kadzis

Cambridge: Bill Deignan

Wayland: Marcy Crowley

Wellesley: Frank DeMasi, Advisory Council Vice Chair and Freight Committee Co-Chair

Westwood: Steven Olanoff, Advisory Council and UPWP Committee Chair

Agencies

Inner Core: Jeff Levine, Inner Core Chair and Advisory Council Transportation Improvement Program (TIP) Committee Chair

Citizen Groups

American Council of Engineering Companies (ACEC): Rob Rottenbucher

Association for Public Transportation (APT): Fred R. Moore and Romin Koebel

MassBike: Chris Porter

New England Bus Transportation Association (NEBTA): Herb Pence

Guests and Visitors

Paul Christener

Vincent Lawrence Dixon

Ed Lowney

Cheryl Ravalli

Robert Sturgis

Marilyn Wellons

Wig Zamore

Staff (CTPS)

Sean Daly

Anne McGahan

Bill Moore

ATTACHMENT 2: 01-17-06 Proposed Amendments to 310 CMR 7.36: Transit System Improvements (“SIP Commitments”) Comments Letter from the Advisory Council to the DEP

Christine Kirby
Department of Environmental Protection
Bureau of Waste Prevention
One Winter Street
Boston, MA 02198

January 11, 2006

Re: Proposed Amendment to 310 CMR 7.36 for the State Implementation Plan

Dear Ms. Kirby:

The Regional Transportation Advisory Council (Advisory Council) is an independent group of citizens and officials federally charged with providing public input on transportation planning to the Boston Region Metropolitan Planning Organization (MPO). The Advisory Council provides a forum for broad-based discussions of transportation issues and planning, including programming of federal transportation funding for the region, and is a main avenue for public participation in the planning process. On January 13, 2005, the Advisory Council submitted its comments to the members of the Boston Region MPO and to the state officials initiating the SIP reevaluation. Since that time, we have twice reaffirmed our original position to support the original SIP commitments and now take exception to the proposed amendment and its proposed schedule for project completion.

The Advisory Council restates that it strongly supports:

- Restoration of the Arborway Light Rail Line;
- Extension of the Green Line to Somerville and Medford as a light rail system;
- Extension of the Blue Line to connect to the Red Line at Charles/MGH Station.

The Advisory Council takes exception to the following items in the proposed amendment to Regulation 310 CMR 7.36:

- Delay of the Green Line extension to Medford until 2014 with nothing proposed to mitigate emissions created during that 3-year delay.
- A further delay allowed for any project for up to three years with no mitigation required for air quality during that 3-year delay.
- Changing the method by which future substitutions might take place by eliminating the need to show that the current commitment is infeasible.
- Changing the substitution method to eliminate the requirement that air quality improvements benefit the same area as before and thereby raising important environmental justice concerns.
- Changing the substitution process to apparently eliminate the need to amend the regulations and thereby making the extent of the public review process unclear.

We reiterate our support for the state to find a source of funding for the planning, design, construction, and operation of all expansion projects – not the Boston Region MPO or the MBTA.

Advisory Council members have expressed a concern that the process of evaluating projects is biased against fixed guide way transit, exhibiting an indifference to the fact that people are simply more likely to use such a system than buses; that dedicated right-of-way systems will run on schedule much more than mixed-traffic systems; and the greater comfort and capacity afforded by such transit.

Advisory Council members feel there should be no change to the current substitution criteria at this late date. The rules that governed how the other 23 projects were completed should not be changed for the final three. The entire process has served to delay projects even further, slowing air quality improvements, discouraging transit use in the proposed commitment corridors, making local economic planning difficult, resulting in lost opportunities for the viability of these communities.

Note that the Advisory Council is not taking a position on the relative merits of the projects currently committed or the possible substitutions. While there are many worthy projects under discussion as part of this process, such as the Blue Line extension to Lynn, the position of the Advisory Council is that these projects should be considered on their own merits, rather than being pitted against the SIP transit projects.

The Advisory Council would rather see the time for the revaluation process spent on meeting the deadlines for the original SIP commitments. Thank you for the opportunity to comment on this process. If you need to contact me, I can be reached at 781-326-6585 or at Olanoff@aol.com.

Sincerely,



Steven H. Olanoff
Chair

cc: Advisory Council members
Boston Region MPO members
Doug Foy, Office of Commonwealth Development
John Cogliano, Secretary of Transportation
Federal Transit Administration
Federal Highway Administration
Joint Transportation Committee members

ATTACHMENT 3: 12/14/05 Freight Committee Meeting Notes

Regional Transportation Advisory Council (RTAC) Freight Committee

[Meeting Notes - 14 December](#)

[Prepared for 11 Jan RTAC Meeting:](#)

The discussions at the 14 December Freight Committee meeting centered on presentations of the State of Massachusetts Transportation Finance Commission and a proposed Terminal Railroad Start-up in Woburn and Wilmington Massachusetts. Mr. Stephen Silviera, Chairman of the Finance Commission and a proponent for New England Transrail, developer of the Wilmington and Woburn Terminal Railroad, made both presentations. (See attachment 2 for list of attendees)

Mr. Silviera provided the following information on the Finance Commission: The commission examined the transportation finance needs of the commonwealth for the next 25 years as identified in the short and long-term transportation plans developed by the executive office of transportation, the state transportation improvement program, the program for mass transportation, the capital investment programs of the Massachusetts Bay Transportation Authority, the regional transit authorities, the Massachusetts Turnpike Authority and the Massachusetts Port Authority; environmental mitigation agreements executed in connection with the central artery/tunnel project; and other transportation needs as identified by the commission.

The commission considered all modes of transportation, and priority was made of examining the technical and financial feasibility of sustaining and expanding the public transit system, including but not limited to the central artery/tunnel project environmental commitment projects, and other service expansion proposals, including high priority projects as identified by the Massachusetts Bay Transportation Authority based on their transportation, economic and environmental benefits relative to costs.

Recommendations are now being finalized on ways in which the Massachusetts Bay Transportation Authority may meet operational and capital improvement and reconstruction needs for the next 25 years, including without limitation debt reduction, enhancing revenues derived from fares, establishing new incentives for public-private partnerships in the development of real property resources, and funding resources.

The commission examined the finances of the regional transportation authorities, including, but not limited to, state aid levels and the feasibility of moving regional transit authorities from the current reimbursement form of funding to forward funding and make recommendations for improvements to financial policies and procedures. The commission is also identifying areas where cost savings can be achieved across transportation agencies via consolidation, coordination, and reorganization.

The commission examined the projected federal, state funding, projected toll and fare revenue-based funding, debt financing, and other sources of projected funding to finance the transportation needs identified. The commission recommends what funding or finance measures the commonwealth or its transportation agencies may pursue to satisfy the unmet needs identified. Recommendations also include any inter-agency agreements, consolidations, or mergers that will enable the commonwealth to make the most effective use of its transportation funding resources. The recommendations are designed to identify fair and equitable means of financing transportation investments through taxes, tolls, fares and other user charges.

The commission is promulgating its findings relative to identified transportation needs and identified funding sources, including drafts of legislation required to implement its recommendations. The commission submitted its initial report to the governor, the secretary of transportation, the clerks of the House of Representatives and the senate, the

house and senate committees on ways and means and the joint committee on transportation with an updated plan to follow each year thereafter, not later than December 31. The commission plans to evaluate freight transportation as a primary concern in its future deliberations.

A summary of Mr. Silveira's comments on the *Transrail LLC*, proposed Wilmington and Woburn Terminal Railroad (W&WTRR) and freight transload facility at a former Wilmington/Woburn industrial site follows: **Transrail LLC plans to construct, acquire, and operate a re-load enterprise to facilitate the transload of various bulk commodities including Lumber, aggregates, Construction and Demolition Debris ("C&D") and municipal solid waste, between highway and rail transportation modes in the Boston metropolitan area of Massachusetts. The Proposed Action would address a shortage of highway-to-rail transload facilities in the greater Boston metropolitan area by providing needed rail transportation infrastructure. The Town of Wilmington strongly opposes the proposed redevelopment and use of the former Olin Property engaging in legal/legislative action to stop the project. The solid waste industry, with businesses tied to long-haul trucking or local garbage burning incinerators opposes the Wilmington project fearing it will undercut their markets and pricing. A fact sheet prepared by New England Transrail delineating its commitment to comply with all applicable health and safety laws applicable to construction and operation of the NET facility is at attachment 1.**

At the conclusion of Mr. Silveira's remarks the committee raised questions and openly discussed the need for freight facilities in our region and their local impact on communities. The W&W TRR is a good case study of conflicts between the Federal Surface Transportation Board and State/local jurisdiction on land use and regulatory control. This conflict over application of environmental regulations, local permitting of Industrial and Transportation related development, and intermodal rail freight policy, was brought to the attention of the Freight Committee for open discussion of its impact on the regional freight transportation system.

Frank DeMasi provided fact sheets from dissenting positions on the New England Transrail LLC Proposal, and also distributed a draft position paper to the Surface Transportation Board (STB) in support of the Transrail proposal. The tone of the STB letter was that it represented the position of the Regional Transportation Advisory Council. After a discussion led by Ms. Marcy Crowley, long standing member of RTAC and Past Chairman of the organization, as to the inappropriateness of the representation of the letter as an RTAC position, it was agreed to discard the letter in regard to procedural and jurisdictional reasons, not on its merits. The unanimous decision including both Co-chairmen was to support Ms. Marcy Crowley's position and leave advocacy for or against the STB Petition to the personal and independent actions of its members.

We discussed a strategy to address this confrontation in terms of advocating for future intermodal freight/Rail development, addressing local jurisdictional issues, and having regard for the environment and impact on truck use/local road congestion. To affect a desirable intermodal regional transportation system consideration of concurrent support for development of local intermodal freight trans-load facilities and a communities' balance of its cost to support regional issues and its own community values is needed. The Committee proposes to support a mutually acceptable position (to the Local Community and Reload Enterprise) and if possible suggest to the STB, RTAC, MAPC, and the EOT/MPO why conflicts such as these need to be resolved on a regional basis and with support of the planning and executive level of state government. MAPC may be the most informed organization to assist the committee in these types of freight/industrial land use conflicts and via these notes will be apprised of our request for assistance.

Respectfully submitted,

Frank S. DeMasi

Frank S. DeMasi
Co-chairman RTAC Freight Committee

RTAC Freight Committee 11 Dec Meeting Notes:
Attachment 1

New England Transrail
Wilmington Facility

The Site

- An unused, contaminated industrial property surrounded by other industrial and commercial properties and a former municipal landfill.
- Near Interstates 93 and 95, fifteen miles from Boston.

Proposed Operations

- Rail to truck and truck to rail transloading of a wide range of materials including sand, gravel, wood chips, plastic resins, food products, soda ash, construction and demolition debris ("C&D") and municipal solid waste ("MSW").
- All of the C&D and MSW received by NET will be shipped to disposal locations outside the Commonwealth of Massachusetts.
- All C&D and MSW will be handled by NET in an enclosed structure with state of the art odor and dust controls.

Benefits

- Reduction of truck traffic on our crowded highways.
- Far fewer air pollutants emitted per mile traveled.
- Better access to out of state suppliers and receivers of materials.
- Expedited rehabilitation and reuse of an idle Brownfield site.
- New jobs and tax revenue for the Town of Wilmington and the Commonwealth.

The Commonwealth's and the Town's Ability to Regulate the NET Facility is Limited by Federal Law

- Federal law requires that the Federal Surface Transportation Board (STB) approve the construction and operation of any rail transloading facility.
- Federal law also preempts state or local permitting processes that might otherwise apply to such rail facilities.
- The Massachusetts DEP and the Town of Wilmington have been, and will be, afforded a full opportunity to participate in the STB's consideration of NET's proposal.

NET Will Comply With All Applicable Health and Safety Laws and Regulations

- NET has agreed to comply with all state and federal health and safety regulations applicable to the construction and operation of the NET facility.
- The only state and local regulations with which NET will not agree to comply (because they are clearly preempted by federal law) are the pre-approval requirements that would otherwise be imposed by the Commonwealth's Site

Assignment and Solid Waste regulations, and the "Waste Bans" under the Solid Waste regulations.

- As applied to NET's proposed transportation of C&D and MSW out of the Commonwealth of Massachusetts, the Site Assignment requirements and the Waste Bans will not further the protection of the environment, public health or public safety.

RTAC Regional Transportation Advisory Council
Freight Committee Meeting for 14 December 2005

Attendance:

Name	Title/Organization	Phone	E-mail address
Steve Silveira	ML Strategies	(617) 348-3095	ssilveira@mlstrategies.com
Tom Murphy	NE Transrail	(781) 844-2795	tmurphyma@aol.com
Dennis Coffey	ACEC	(781) 565-5905	dpcoffey@hntb.com
Lynn Vikesland	MassPort	(617) 946-4445	lvikesland@massport.com
Ron Klempner	NE Transrail		ronklem@optonline.com
Frank DeMasi	RTAC	(781) 235-6383	fsdemasi@comcast.net
Bill Moore	CTPS	(617) 973-7144	Bill.moore@ctps.org
Domenic D'Eramo	RTAC	(781) 769-1126	dderamo@rizzo.com
Chris Podgurski	NVCC	(781) 828-0821	cpodgurski@podgurskicorp.com
Fred R. Moore	RTAC/APT (M)	(781) 233-6347	interstellertech@comcast.net
Steve Olanoff	RTAC	(781) 326-6585	olanoff@aol.com
Robert Sturgis	Bos Society of Architects	(781) 647-7833	rsturgis@aol.com
Marcy Crowley	RTAC	(508) 653-5176	marcyrc@aol.com
Rus Marron		(978) 531-0349	
Frank DeMasi	RTAC	(781) 235-6383	fsdemasi@comcast.net