

DRAFT (January 28, 2005)
CLF's Comments on Second Amended ACO

Currently, the Red Blue Connector and Green Line Extension to Medford Hillside have not been funded adequately.

- In this document, DEP finds that EOT has prioritized these projects for funding based on a claim that there is planning money dedicated to both in the MBTA Capital Investment Program FY 2005-2010 ("CIP").
- These projects have NOT been prioritized for funding. There is NO money in the CIP for the Red Blue Connector and only \$390,000 in planning money for the Green Line Extension.
- There is no money programmed to construct either project. These projects have both been identified as an "anticipated future need" but no money has been identified to bring either project to fruition.

This Amendment to the ACO fails to require funding or a schedule of construction for Arborway Restoration

- Arborway Restoration was due in 1997. When that wasn't achieved DEP required a schedule for completion by 12/31/01. At this point, only planning money is programmed for this project and no construction money has been dedicated. DEP imposed a penalty and deferred this project to a public process to consider substitutions.

The Penalties and Mitigation do not adequately address delays.

- Monetary penalties are imposed for delays. This money should be required to be spent on additional projects, not merely put into the Commonwealth's general fund. It makes no sense to take money from EOT so it is less able to accomplish these projects.
- The Supplemental Environmental Project, enhancements for the Fairmount Line, doesn't go far enough. The MBTA has already programmed improvements of the Morton Street and Uphams Corner stations in the CIP; the other part of this project—improvements to Four Corners Station—merely requires design and not construction of the station. Transit dependent communities gain little from mere designs. Furthermore, these efforts are only small steps towards improving this corridor such that it provides real air quality benefits.
- The only other interim mitigation provided is the purchase of newer buses for use in the Orange Line area. The purchase of these buses was already programmed in the CIP before this amended ACO was negotiated. Additionally, it is problematic that DEP has not required mitigation for all of the other areas experiencing project delays.

There are areas of noncompliance with the ACO that this document fails to address

- Gaining federal funding for Silver Line Phase III by 2005
- Rail Service to TF Green
- Promotion of signalization technology to give priority to mass transit vehicles throughout Metropolitan Boston
- Replacement of old buses: There are still buses in service which were required to be replaced some time ago.

This negotiation occurred behind closed doors

- CLF was denied the right to intervene and there was no opportunity for public comment