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August 17, 2016

Mr. Richard Doucette  
Federal Aviation Administration  
New England Region  
1200 District Avenue  
Burlington, MA 01803

Secretary of Energy and Environmental Affairs  
Executive Office of Energy and Environmental Affairs (EEA)  
Attn: MEPA Office  
Page Czepiga, EEA No. 15434  
100 Cambridge St., Suite 900  
Boston MA, 02114

Stewart Dalzell, Deputy Director  
Strategic Business and Planning Department  
Massachusetts Port Authority  
One Harborside Drive  
East Boston, MA 02129

RE: Environmental Assessment/Draft Environmental Impact Report for the Boston-Logan International Airport, Terminal E Modernization Project (EEA #15434)

Dear Mr. Doucette, Ms. Czepiga, and Mr. Dalzell:

The Town of Milton, Massachusetts ("Milton") respectfully submits the following comments on the Environmental Assessment/Draft Environmental Impact Report for the Boston-Logan International Airport, Terminal E Modernization Project (EEA #15434).

Introduction

The Environmental Assessment/Draft Environmental Impact Report ("EA/EIR") is fundamentally flawed because it entirely fails to address on the ground noise and pollution impacts to surrounding communities such as Milton that will be impacted by the increased aircraft operations at Boston Logan International Airport ("Logan") resulting from the Terminal E Modernization Project ("the Project"). These already existing noise and pollution impacts will be further exacerbated by the additional international flight activity. That these flights are likely to utilize the RNAV or other

arrival paths for Runways 4R and 4L and the departure paths for Runways 27 and 33L, only makes an unbearable situation over Milton even worse.<sup>1</sup>

The EA/EIR does nothing to address these impacts, and in fact, Massport abdicates its responsibility as the operator of Logan Airport by throwing up its proverbial hands in the document and stating that these additional flights are coming, whether Terminal E is modernized<sup>2</sup> or not. The EA/EIR notes that the number of international passengers served by Terminal E increased from 1.4 million in 1974 to 5.5 million in 2015 and is expected to increase to 8 million "in 2030 or sooner." The EA/EIR fails to recognize that further "modernization", i.e., expansion, of Terminal E will in and of itself drive increased airline traffic to Logan. Therefore, we request that the EA/EIR be revised and the scope expanded to include an analysis of these noise and pollution impacts from increased international overflights on the surrounding communities. We further request that no Finding of No Significant Impact ("FONSI") be authorized unless and until such impacts are appropriately studied.

On numerous occasions in recent years, we have notified the FAA and Massport of the intolerable and unacceptable level and frequency of airplane noise over the Town of Milton.<sup>3</sup> During face-to-face meetings with the FAA and Massport, we have reiterated these concerns and sought temporary and permanent solutions. However, to date, neither the FAA nor Massport has offered any solutions. Unless and until the FAA and Massport adequately address the very serious public health and quality of life issues that Milton has raised time and again, no further expansion of airport operations should proceed.

#### Insufficient Scope of the EA/EIR Concerning Noise Impacts

The impact of increased international flight capacity at Logan Airport from the Project will have noise impacts to surrounding communities beyond those impacts presented and analyzed in the EA/EIR. The scope of the EA/EIR is limited to noise impacts only in the physical locations immediately surrounding Terminal E. The document completely ignores the noise impacts of increased international flights on any of the communities within the Logan overflight area and under the RNAVs and other flight paths that will be utilized by these aircraft. Table 4-1, which purports to list the NEPA and MEPA resources analyzed for the EA/EIR, with respect to Noise and Noise Compatible Land Use, states:

The Project would not increase the number of aircraft operations or passenger activity levels; therefore, aircraft noise levels at or surrounding the Airport would not be expected to change compared to the No-Action Alternative. The Project would not affect runway use, but would alter airside ground operations in the North Apron

<sup>1</sup> We have previously asked the FAA to consider removing the wind restriction on Runway 14/32, which would open up Runway 14/32 for more arrivals, allow for another 2-runway arrival configuration using Runways 32 and 27 in northwest winds, and help to avoid the overuse of Runways 4R and 4L for arrivals.

<sup>2</sup> We note that the term "modernization" is used regularly by the FAA and Massport when it really means "expansion." We believe it is to Massport's benefit to be clear and up front about its intentions with the public it serves and with the communities it both serves and impacts.

<sup>3</sup> See, for example, our letter dated April 2, 2014 to the FAA and Massport attached hereto as Exhibit A; our letter dated November 5, 2015 to the Executive Office of Energy and Environmental Affairs attached hereto as Exhibit B; our letter dated November 9, 2015 to the FAA, Massport and the Logan Airport Community Advisory Committee, Inc. attached hereto as Exhibit C; our letter dated March 22, 2016 to the FAA and Massport attached hereto as Exhibit D; and our letter dated July 19, 2016 to the FAA attached hereto as Exhibit E.



area including location of aircraft parking, use of new gates and remote hardstands, and busing and ground support equipment.

This description of the Project contradicts and ignores the statistics and arguments presented by Massport in the preceding sections of the EA/EIR, which outline the need and the justification for the Project. On one hand, Massport is telling the public that Logan is one of the “fastest growing major U.S. airports,” and the volume of international flight operations is increasing, and on the other hand it is analyzing the environmental impacts of the Project based on “no increase in aircraft operations or passenger activity levels.”

Part 2 of the EA/EIR outlines in some detail the increase in both passengers and in total aircraft operations at Logan. Figure 2-3 demonstrates an increase in the total number of flights at Logan over the past four years to be approximately 50,000. Assuming airport operations 24 hours per day, 7 days per week, this is an additional flight every 10 minutes, over increasingly narrow and focused RNAV corridors and other instrument and visual approaches. The amount of this increase due to international flights is not specified, but based on the information presented in Figure 2-4 of the EA/EIR, the number of international flights at Logan has increased by 17.5% since 2008. Tables 2-4 and 2-5 indicate that number is projected to increase even further by 2030. Because of the uncertainty associated with these international schedules, it is clear that the hours of operations due to these flights will be even further extended, causing additional noise impacts on the already overburdened surrounding communities into the late hours of the night and the early hours of the morning.

Given its own data, Massport’s statement that “the Project” will not increase aircraft or passenger operations cannot be true. Because of this increased flight activity, the EA/EIR should include an analysis of the increased runway use at Logan, by runway end, attributable to the Project, so that the communities under the impacted RNAVs and other flight paths will have fair notice of the increased noise impacts and have a fair and thorough ability to analyze and comment on those impacts.

#### **The Project has the Potential to Increase Noise Complaints Even Further**

Milton currently receives a disproportionate number of airplane operations from Logan. A predominantly residential community with a population of 27,000, comprising of only 13.3 square miles, Milton bears the brunt of heavy air traffic from three (3) existing RNAVs (4R, 27 and 33L), and two proposed RNAVs concerning 4L. The skies over Milton are already saturated with too many airplanes, often from very early morning until very late at night.<sup>4</sup> The Project and the increased international flights in and out of Logan will only exacerbate that situation.

Complaints about the noise levels in Milton are getting worse. Through June 30, 2016, Milton residents filed 8,608 noise complaints with Massport. This is 55% of all noise complaints filed in 2016 through this date (15,514 total) and more than the total number of complaints filed with Massport in all of 2013 (6,881). The situation in Milton has become so intolerable that since

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<sup>4</sup> For example, based on FAA ATIS information, in July 2016, Runway 4R/L had 218 hours or 29.3% usage (based on a 744 hour month). 4R/L was also used on 2 Saturdays and 3 Sundays. July was a relatively light month for Milton overflights. In May 2016, Runway 4R was used for landings for 300 hours or 40.3% usage (i.e., 6,596 low-flying jets or 44% of all arrivals). In May 2016, Runway 4L was used for landings for 109 hours or 14.6% usage, bringing the percentage of jet arrivals overflying Milton during May to 50%.



January 1, 2012, Milton has filed 18,295 noise complaints – more than the next five most impacted communities combined (Somerville, Cambridge, Hull, Belmont, and Arlington). Increasing international flights over Milton will result in even more complaints filed with the Massport hotline. Noise complaints are substantial evidence of a noise problem, even absent corroborating data showing a DNL above 65. Helicopter Association International v. FAA, 722 F.2d 430, 435-37 (D.C. Cir. 2013). Further, the FAA has long standing authority to regulate to protect people and property from aircraft noise. Id. at 435, 437-38.

As noted above, despite our multiple requests, the FAA has failed to offer any remedial measures – even temporary remedial measures while long-term solutions are worked out – to alleviate the burden of concentrated flight paths and increased air traffic over Milton. Unless and until the FAA makes a serious effort to alleviate the existing burden of airplane noise and pollution over Milton, we are concerned that increased airport operations will not be managed in a manner that protects the public health and the quality of life of the residents of Milton and other affected communities.

#### **Discussion of Cumulative Impacts are Omitted from the EA/EIR**

FAA Order 5050.4 (NEPA Implementing Instructions for Airport Actions), section 706e(1) requires that “to complete the EA’s cumulative analysis, the Affected Environment section should include critical background information on past, present, and reasonably foreseeable future actions.” This cumulative analysis must include the environmental effect of these actions, even if the impact of each individual action is relatively minor. See CEQ Guidelines 1508.7 and 1508.25. No cumulative analysis has been completed for the Project or is presented in the EA/EIR.

While the *construction* of the Project is unlikely to have any direct impact on Milton and the surrounding communities, Massport’s own information demonstrates that the *implementation* of the Project will likely cause additional noise and pollution impacts from the increase in international flight operations at Terminal E.<sup>5</sup> Because this cumulative impact has not been evaluated and considered in the EA/EIR document, the analysis is insufficient, and should be revised to include an appropriate scope, and an appropriate analysis of cumulative impacts to all of the surrounding communities under the RNAVs and other flight paths which will be impacted by these increased international flight operations.

#### **No Discussion of Increased Air Pollution due to Increased Flight Operations**

As with the discussion of noise impacts, the EA/EIR limits its discussion of pollution impacts to those resulting from the construction of the Project, and resulting on-airport operations only. The EA/EIR does not address the increased pollution associated with increased airline operations over the surrounding communities under the RNAVs. Data demonstrates that aircraft emissions, particularly of fine particulates, impacts public health directly by depositing particulates into the lungs and indirectly by contributing to ozone and smog. FAA’s own analysis of aviation emissions cites to research that indicates “fine particulate matter is responsible for the majority of the health

<sup>5</sup> This EA/EIR should contain an analysis of impacts from both construction and implementation; otherwise, it is arguable that the document has been improperly segmented, or, as is set forth in this letter, is incomplete. Both NEPA and MEPA require a project proponent to analyze the entire project and project impacts, not just one component of a project.



risks from aviation emissions.”<sup>6</sup> These particulates contribute to increased heart and lung disease, including increased hospital admissions, emergency room visits, and work absences. Children and the elderly are especially vulnerable to exposure to fine particulates. This fine particulate exposure is increasing in Milton, from an increased number of arriving aircraft, flying at less than 3000 feet over our town, particularly to runways 4R and 4RL.


### Conclusion


In making these comments, Milton recognizes the revenue and commercial activity that efficient international flight operations provides to Massport, the airlines, and the Boston and Massachusetts economies. Indeed, Section 2 of the EA/EIR begins with a recitation of estimated economic benefits to the New England region due to Logan operations. However, these benefits cannot and should not be the only factor in analyzing the Project. Massport, the FAA, and the Secretary also have a responsibility to protect the citizens in the surrounding communities from the negative impacts associated with the Project, including increased noise and increased pollution from the growing volume of international flight operations. Milton and other heavily impacted communities should not be expected to shoulder the burden of these region-wide benefits with their health and quality of life.

The quality of life in Milton has suffered and the health and well-being of our residents have been adversely impacted while decisions about Logan Airport are made solely to benefit air travelers and the airline industry. We respectfully request that decisions also be made that consider the impact to surrounding communities, that the EA/EIR be revised and the scope expanded to include an analysis of these noise and pollution impacts from increased international overflights on the surrounding communities, and that no FONSI be authorized unless and until such impacts are appropriately studied and the FAA and Massport demonstrate that they can solve the serious airplane noise and pollution problems that Milton has brought to their attention time and time again.

Sincerely,

Milton Board of Selectmen

  
Kathleen M. Conlon, Chairman

  
David T. Burnes, Secretary

  
J. Thomas Hurley, Member

<sup>6</sup> Aviation Emissions, Impacts & Mitigation: A Primer (FAA, Office of Environment and Energy), January 2015.

cc: U.S. Secretary of Transportation Anthony Foxx  
FAA Administrator Michael Huerta  
Governor Charlie Baker  
U.S. Senator Edward J. Markey  
U.S. Senator Elizabeth Warren  
Congressman Stephen F. Lynch  
Congressman Michael E. Capuano  
State Senator Brian A. Joyce  
State Representative Walter F. Timilty  
State Representative Daniel R. Cullinane  
Town Administrator Annemarie Fagan  
Cindy L. Christiansen, Ph.D., Massport and Logan CAC Representative  
Milton Airplane Noise Advisory Committee  
Milton Board of Health  
John P. Flynn, Esq., Milton Town Counsel  
Karis L. North, Esq.