

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF ENVIRONMENTAL PROTECTION

310 CMR 7.00 AIR POLLUTION CONTROL REGULATIONS

310 CMR 7.30 MB MASSPORT/LOGAN AIRPORT PARKING FREEZE

7.30: MB Massport/Logan Airport Parking Freeze

(1) Applicability.

(a) 310 CMR 7.30 in its entirety is applicable to the Massachusetts Port Authority, the body politic and corporate, created by and existing pursuant to St. 1956, c. 465, hereafter referred to as Massport, which is the owner/operator of the Logan International Airport in Boston, Massachusetts, hereafter referred to as Logan Airport.

(b) 310 CMR 7.30 in its entirety applies to the parking of motor vehicles on property owned or leased by Massport at Logan Airport, as well as sections of Neptune Road, geographically described as follows and hereafter referred to as the Logan Airport Parking Freeze Area. This geographic area, as shown on a map approved and held by the Department, shall be bounded as follows:

Beginning at the intersection of the high water line of the Boston Inner Harbor and the Logan Airport boundary, in the vicinity of the intersection of Jeffries Street and Marginal Street;

then following along the westerly boundary of the Airport, which in this area generally northwesterly along Maverick Street, northeasterly along Geneva Street, and southeasterly, northeasterly, northwesterly around Memorial Stadium, as far as the Massachusetts Bay Transportation Authority (MBTA) Blue Line right-of-way, just north of the Airport Station;

then northeasterly along the Blue Line right-of-way to the intersection of the Blue Line right-of-way and the Airport boundary, in the vicinity of the southerly end of Moore Street;

then northeasterly along the boundary of the Airport and then northeasterly, southeasterly, southwesterly and northeasterly along the Airport boundary to the point of beginning (the "Logan Airport Parking Freeze Area").

(c) In the event any property within the boundaries of the Logan Airport Parking Freeze Area is conveyed in fee by Massport, such property shall be removed from the Logan Airport Parking Freeze Area and become part of the East Boston Parking Freeze area at the time of such conveyance.

(2) Terms of the Parking Freeze.

(a) Commercial and employee parking spaces within the Logan Airport Parking Freeze Area shall be limited to 26,088 parking spaces, except as otherwise provided by 310 CMR 7.30(5), of which there shall be:

1. No more than 2,448 employee parking spaces, as defined by 310 CMR 7.00; and
2. No fewer than 23,640 commercial parking spaces, as defined by 310 CMR 7.00; provided that:
 - a. The total of employee and commercial parking spaces never exceeds 26,088 parking spaces, except as otherwise provided by 310 CMR 7.30(5); and
 - b. Employee parking spaces are permanently converted into commercial parking spaces utilizing the process set forward by 310 CMR 7.30(4).
3. The parking spaces within the Logan Airport Parking Freeze area may increase above 26,088 spaces in accordance with 310 CMR 7.30(5), provided that the inventory of commercial and employee parking spaces subject to the Logan Airport Parking Freeze does not exceed 26,790 parking spaces.

(3) Parking Space Inventory.

(a) Every six months, by March 1st and September 1st of each calendar year, Massport shall submit to the Department a parking space inventory that describes the following:

1. all commercial, employee, and rental motor vehicle parking spaces available in the Logan Airport Parking Freeze Area; and
2. all restricted use parking spaces under 310 CMR 7.30(7) regardless of location. The parking space inventory shall include a map of sufficient detail to identify the type and quantity of parking spaces available by location.

(b) If the total inventory of on-airport commercial and employee parking spaces exceeds the number of on-airport commercial and employee parking spaces allowed under 310 CMR 7.30(2), then Massport shall identify the number of

spaces by type and location that are immediately eliminated and the means by which this has been accomplished in order to ensure that the number of on-airport parking spaces complies with the requirements of 310 CMR 7.30(2).

(c) If the total inventory of on-airport commercial and employee parking spaces is less than the number of on-airport commercial and employee spaces allowed under 310 CMR 7.30(2), Massport shall be certified by the Department as having a total of the number of on-airport commercial and employee spaces allowed under 7.30(2), upon the Department's receipt of the parking space inventory and provided that the inventory submittal includes an identification of the potential location and quantity of parking spaces that represent the difference between the existing parking spaces and the number of on-airport commercial and employee spaces allowed under 310 CMR 7.30(2).

(4) Employee Parking Reduction.

(a) Massport shall take feasible measures to reduce permanently the number of on-airport employee parking spaces either through relocating said parking spaces to locations outside of the Logan Airport Parking Freeze Area, which maximize regional and local air quality benefits, or through providing incentives to employees to use alternative means of transportation to access Logan Airport property.

(b) Massport may convert to commercial parking an equal number of parking spaces as have been permanently eliminated from the employee parking space inventory and shall annually submit documentation which supports this conversion, in accordance with the reporting requirements at 310 CMR 7.30(9).

(c) Employee parking relocated from the Logan Airport Parking Freeze Area shall not be located in another area subject to a parking freeze.

(5) Park and Fly Parking. Notwithstanding any provisions herein to the contrary or any subsequent disposition of the property by Massport, in the event that Massport, or its nominee, acquires in fee, or leases for a term in excess of five years, property within the East Boston Parking Freeze on which Park and Fly Parking Spaces included in the East Boston Parking Freeze Area inventory, certified by the Department under 310 CMR 7.31(3), are located, such spaces, upon notification by Massport to the Department and the Boston Air Pollution Control Commission (BAPCC) will be automatically and permanently converted to Commercial Parking Spaces within the Logan Airport Parking Freeze Area. The Logan Airport Parking Freeze Area Commercial Parking Space inventory pursuant to 310 CMR 7.30(2)(a) will be permanently increased, and the East Boston Parking Freeze Park and Fly Parking Space inventory pursuant to 310 CMR 7.31(3) will be permanently decreased by the number of such converted spaces. All such

converted spaces may be relocated and used as commercial parking spaces within the Logan Airport Parking Freeze Area.

(6) Reserved.

(7) Restricted Use Parking.

(a) The category of restricted use parking spaces is created with the understanding that Massport experiences, at several times during the year, extreme peaks of air travel and corresponding demand for parking spaces. Restricted use parking spaces may be made available for use only at such times.

(b) Massport shall limit the use of restricted use parking spaces, defined at 310 CMR 7.00, to ten days in any calendar year. If this limitation is projected to be exceeded and/or in fact is exceeded in any given calendar year, then the requirements and procedures described at 310 CMR 7.30(7)(e) and (f) shall apply.

(c) Restricted use parking spaces may be located within the Logan Airport Parking Freeze Area, but shall not be located in the East Boston Parking Freeze Area or any other geographic area subject to a parking freeze.

(d) The category of restricted use parking spaces shall be subject to the following monitoring and reporting provisions:

1. On December 31 of each calendar year Massport shall submit to the Department a letter containing an estimate of the number of days and the dates on which Massport anticipates the need over the following calendar year to invoke the use of restricted use parking spaces, including the estimated number and location of said spaces.

2. Massport shall monitor and track the use of these spaces continuously throughout the year and on March 1st of the following year shall submit a report to the Department describing the actual dates, locations and numbers of restricted use parking spaces used in the preceding calendar year.

(e) Should the actual number of days when restricted use parking is invoked by Massport exceed six by July 1st of any year, Massport shall submit to the Department, on or before August 1st, a report outlining strategies Massport commits to undertake during the remainder of the calendar year so as not to have to invoke the use of the restricted use parking spaces more than four additional days that calendar year.

(f) Should Massport invoke the use of restricted use parking spaces for more than ten days during the calendar year, Massport shall submit to the Department, on or before March 1st of the following year, a report containing:

1. An explanation of why the ten day limit on use of restricted use parking spaces was exceeded.
2. A determination of whether this exceedence was temporary or may be expected to continue into future years and technical support for this determination.
3. A projection of future need to use restricted use parking spaces in terms of number of days and number of spaces, and an analysis of the air quality impacts of the projected use of the restricted use parking spaces.
4. A plan and schedule for initiating actions which will eliminate the projected need identified in 310 CMR 7.30(7)(f)3.
5. A commitment from Massport to implement the actions identified in 310 CMR 7.30(7)(f)4.

(8) Transportation Management Studies and Programs.

(a) Massport shall complete the following studies, each within 24 months of June 30, 2017 to aid its efforts to reduce the air quality impacts of different ground access modes for travel to and from Logan Airport:

1. A study of the costs, feasibility and effectiveness of potential measures to improve high occupancy vehicle access to Logan Airport. The study shall consider, among other things, possible improvements to Logan Express bus service and the benefits of adding Silver Line buses with service to Logan Airport.
2. A study of costs and pricing for different modes of transportation to and from Logan Airport to identify a pricing structure and the use of revenues so generated to promote the use of high occupancy modes of transportation by Airport air travelers and visitors. The study shall include evaluation of short-term and long-term parking rates and their influence on different modes of airport transportation.
3. A study of the feasibility and effectiveness of potential operational measures to reduce non-high occupancy vehicle pick-up/drop-off modes of transportation to Logan Airport, including an evaluation of emerging ride-sharing and transportation network company modes.

(b) Massport shall commit to making all reasonable efforts to identify, analyze, implement and communicate to the public the availability of transportation management programs including but not limited to:

1. Maintenance and improvement of current transportation management programs of remote parking/express bus service; infrastructure and leasing arrangements for the water shuttle service to and from Logan Airport; the one way toll program; and the commercial vehicle lane at Logan Airport.
2. Identification of additional suitable site(s) and implementation of additional remote parking/express bus service(s).
3. Identification and study the feasibility and impact on transportation and air quality parameters of additional transportation management programs and ground access improvement projects.

(c) Massport shall report annually the status of studies, findings and commitments to implement in accordance with 310 CMR 7.30(9).

(9) Recordkeeping and Reporting. On or before March 1st of each year Massport shall submit a report detailing the progress and status of each provision of 310 CMR 7.30, in its entirety, during the preceding calendar year. Copies of said report shall be submitted to the Department, EPA, the Chairman of the Boston MPO, and the BAPCC. Massport may, with the consent of the Department, satisfy this reporting requirement through the submission of annual Environmental Data Reports or similar airport-wide documents pursuant to M.G.L. c. 30, §§ 61 through 62H, provided that the above parties receive copies of such reports.

(10) Enforcement. The Commissioner will enforce 310 CMR 7.30 under applicable law.