

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, as amended, 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 and the Massachusetts Bay Transportation (MBTA) Wood Island Station, 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 southerly edge of property known as the Robie Industrial Park;

then easterly, northerly and westerly along the boundary of said Park and extending along an imaginary straight line to MBTA Blue Line right-of-way;

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").

In the event that the property described herein as Robie Industrial Park shall be owned or leased by Massport at some point in the future, then at the time of such purchase or lease, the Robie Park parcel shall become part of the Logan 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 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 19,315 parking spaces, except as otherwise provided by 310 CMR 7.30(5); of which there shall be:

1. No more than 5,225 employee parking spaces, as defined by 310 CMR 7.00; and
2. No fewer than 14,090 commercial parking spaces, as defined by 310 CMR 7.00; provided that:
 - a. The total never exceeds 19,315 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 19,315 spaces in accordance with 310 CMR 7.30(5), providing that the inventory of commercial and employee parking spaces subject to the Logan Airport Parking Freeze does not exceed 21,790 parking spaces.

(3) Parking Space Inventory.

(a) One month from the date 310 CMR 7.30 is first published in the *Massachusetts Register* (11/24/89), Massport shall submit to the Department a description of all commercial, employee, and rental motor vehicle parking spaces, available in the Logan Airport Parking Freeze Area and all restricted use parking spaces regardless of location, as of the effective date of 310 CMR 7.30. This

document 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 19,315 and/or the number of on-airport employee parking spaces exceeds 7,100, 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 base number of on-airport parking spaces is equivalent to the numbers specified in 310 CMR 7.30(2).

(c) If the total inventory of on-airport commercial and employee parking spaces is less than 19,315, Massport shall be certified by the Department as having a total of 19,315 parking spaces, upon receipt of the 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 maximum 19,315 parking spaces specified in 310 CMR 7.30(2).

(d) The document described in 310 CMR 7.30(3)(a) shall be updated and submitted to the Department at six month intervals, beginning on March 1, 1990.

(4) Employee Parking Reduction.

(a) Massport shall develop and submit to the Department a plan 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. Said plan shall target the elimination of 2,000 employee parking spaces within three years of the effective date of 310 CMR 7.30 and the elimination of additional employee parking spaces in future years.

(b) No earlier than four months from the date 310 CMR 7.30 is first published in the Massachusetts Register (11/24/89), Massport shall begin implementation of the plan described by 310 CMR 7.30(4)(a). 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(8).

(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.

(a) 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 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 Parking Freeze Area.

(b) Following a notification by Massport pursuant to 310 CMR 7.30(5)(a), the Department shall, within 30 days of such notification, certify revised Parking Freeze inventories for commercial parking spaces within the Logan Airport Parking Freeze Area and for Park and Fly parking spaces within the East Boston Parking Freeze Area.

(6) Rental Motor Vehicle Parking.

(a) Massport shall work with BAPCC to develop and implement a plan to relocate rental motor vehicle parking spaces identified in the East Boston Parking Freeze Area, described by 310 CMR 7.31(1), to the Logan Airport Freeze Area. Relocation of the rental motor vehicle parking spaces shall be in accordance with the plan described in 310 CMR 7.31(4).

(b) Once parking space relocations have been scheduled for implementation, Massport shall submit an application to BAPCC, in accordance with procedures referenced at 310 CMR 7.31(5) to reduce permanently the East Boston Parking Freeze Area inventory by the number of parking spaces scheduled to be relocated to the Logan Airport Parking Freeze Area.

(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, on the conditions in 310 CMR 7.30.

(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 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 1 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 1 of any year, Massport shall submit to the Department, on or before August 1, 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 1 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(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) To discourage the use of private passenger motor vehicles to access Logan Airport:

1. The Boston MPO, in conjunction with other appropriate local and state agencies, shall conduct a study of private passenger motor vehicle travel patterns of, at a minimum, employees, travellers, and visitors to and from Logan Airport in the corridor north of the East Boston Parking Freeze Area, as defined in 310 CMR 7.31(1). Based on the results of this study, the Boston MPO shall develop a corridor traffic management plan, which shall include to the extent appropriate, a parking freeze component. The Boston MPO shall submit a copy of the study within 12 months of the effective date of 310 CMR 7.30(8), along with a written determination and schedule of its intent to adopt the study recommendation(s) as part of the Boston Region Transportation Element of the State Implementation Plan.

2. Massport shall conduct 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 travellers and visitors. This study shall be completed within 12 months of the effective date of 310 CMR 7.00. Upon completion, Massport shall submit the study to the Boston MPO, with a copy to the Department, along with a determination regarding the need to revise 310 CMR 7.30 in light of the results and, if such a revision is appropriate, a schedule to effectuate that change.

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

1. Maintain and improve current transportation management programs of: remote parking/Express Bus service from the West and the South Shore; 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. Identify additional suitable site(s) and implementation of additional remote parking/express bus service(s).

3. Identify 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 1 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.

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