



BOSTON CITY COUNCIL

Committee on Government Operations
Lydia Edwards, Chair

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REPORT OF COMMITTEE CHAIR

September 15, 2021

Dear Councilors:

Docket #0353, a citizen petition entitled “Petition for Eversource Substation East Boston,” a **nonbinding public opinion question pursuant to G.L. c. 53, §18A**, a communication from Eneida Tavares, Chair, Board of Boston Election Commissioners, was referred to the Committee on February 24, 2021. The Committee held a hearing on June 1, 2021 where public comment was taken.

Summary of Legislation:

Docket #0353, if approved by the City Council and Mayor, would place a nonbinding public opinion question on the ballot for a regular municipal election. The nonbinding question is as follows: “Do you support relocating an Eversource electric substation now proposed at 400 Condor St. East Boston away from nearby homes, parks, and flood risk areas in East Boston to an alternate, secure location such as within Logan Airport?”

Information Gathered at the Hearing:

The following individuals participated on the Administration’s behalf: Commissioner Eneida Tavares, Boston Election Department; Sabino Piemonte, Assistant Registrar; and, Chief Mariama White-Hammond, Environment Cabinet. The Committee also heard testimony from the public including some of the signers of the petition.

Commissioner Tavares spoke to the administrative matters of the ballot question. Commissioner Tavares explained that the petition includes the signatures of at least ten registered voters in the City of Boston and that the Board of Election Commissioners examined the signatures. Chief White-Hammond stated that there has been hearings and public meetings on this matter but that the data used to initiate the process is data from 2014 and that there are concerns about whether the data is up to date. Chief White-Hammond stated that East Boston is an environmental justice community because of the airport. Chief White-Hammond acknowledged that the proposed location of the substation has raised concerns among residents because of the proximity to parks, residential houses, and that the location is vulnerable to flooding because of the close proximity to Chelsea Creek.

The Committee reviewed the background of this matter and recognized that the Eversource substation is opposed by elected officials, residents, and experts. The Committee discussed that the location of the substation is 300 feet away from residential homes, 60 feet away from

recreation spaces, and 450 feet away from combustible jet fuel storage tanks. The Committee discussed the infrastructure of the airport and concurred that the infrastructure of the airport should be regional. The Committee discussed new flood maps from the Boston Water and Sewer Commission which show that the location of the substation is more vulnerable to flooding. The Committee discussed that Eversource has been sued for excluding non-English speaking individuals from the process.

T The Committee heard testimony from the public that opposed the location of the substation and supported placing the question on the ballot so that the community could have a voice. Members of the public testified that community members were not involved in the process and that there was a lack of transparency. Public comments reflected that residents should be included in decisions that impact the community. Public comments opposed the location of the substation because of its close proximity to Chelsea Creek, parks, and residential homes. Members of the public commented that there were two land swaps with no public input and that the City of Boston waived its rights without any public discussion. The public also discussed the jurisdiction of the Boston Conservation Commission and claimed that the Commission had the authority under the City's Wetlands Ordinance to deny the permit for the substation.

The Committee discussed the specific language and structure of the ballot question and took feedback from the public. The Chair made language suggestions which included taking out the reference to "East Boston" and including more information such as adding the terms "high voltage" and "safe". The Committee discussed the following draft language: "Do you support relocating an Eversource high voltage electric substation now proposed at Chelsea Creek at 400 Condor St. away from nearby homes, parks, and flood risk areas to an alternate safe and secure location such as within Logan Airport." The Committee discussed variations on the draft language that included referencing Massport or industrial areas. The Committee discussed using the term "environmental justice community" in the ballot question. The Committee discussed using language in the ballot question about residential neighborhoods and Massport Industrial land. The Committee discussed that the language should be clear and consistent.

The Committee discussed the administrative process of the ballot questions. The Committee inquired about translation and whether there is a pro/con section for ballot questions. Commissioner Tavares explained that the City will do the translation of the ballots. Commissioner Tavares stated that a one page ballot would be ideal and that questions on municipal ballots are limited to yes or no answers.

Amended Language:

Based upon the information gathered at the hearing, the docket is amended as follows: "Should a high voltage, electric substation be built at 400 Condor Street in East Boston, along the Chelsea Creek, near homes, parks, playgrounds, jet fuel storage, and in a flood risk area rather than in a nearby alternative safe and secure location such as non-residential Massport land at Logan Airport?"

Rationale and Recommended Action:

This amended language provides clarity and necessary information. The amended language preserves the intent of the petitioners. Placing this question on the ballot will give the public the opportunity to express their position concerning a decision that impacts their community and provide input regarding the location of the substation.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket #0353, a citizen petition entitled “Petition for Eversource Substation East Boston,” a nonbinding public opinion question pursuant to G.L. c. 53, §18A,

submits a report recommending that this docket ought to **pass in an amended draft.**

For the Chair:

A handwritten signature in black ink that reads "Lydia Edwards". The signature is written in a cursive style with a large initial "L".

Lydia Edwards, Chair
Committee on Government Operations