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MASSACHUSETTS BAY TRANSPORTATION AUTHORITY
FINDING PURSUANT TO
M.G.L. CHAPTER 30, SECTION 61

Project Name:	Naval Air Station Development Project
Project Location:	Abington, Rockland, and Weymouth
Project Proponents:	South Shore Tri-Town Development Corporation and LNR South Shore LLC
EOEA Number:	11085R
Date Noticed in Monitor:	**June** 11, 2007

The Naval Air Station Development Project (the Project) is as described in the Final Environmental Impact Report (FEIR), and expanded upon in the Parking Supply Alternatives Analysis prepared in response to the Certificate on the FEIR.

Potential environmental impacts of the Project have been characterized and quantified in the FEIR, which is incorporated by reference into this Section 61 Finding. Throughout the planning and environmental review process, the Proponents have been working to develop measures to mitigate significant impacts of the Project.

The Massachusetts Bay Transportation Authority (MBTA) and the South Shore Tri-Town Development Corporation (SSTTDC) are formalizing a Memorandum of Agreement (MOA) relative to the relocation and reconstruction of the South Weymouth Commuter Rail/Intermodal Station. The MBTA and SSTTDC agree on the following particulars of the MBTA action that is encompassed in this Section 61 Finding:

(i) the successful redevelopment of the Base requires the timely delivery of transportation and other infrastructure to connect the redevelopment to the Commonwealth's highway and commuter rail systems, including but not limited to an east-west, cross-Base parkway (the "Parkway");

(ii) the environmental permitting process for the Parkway requires that its alignment bridge the tracks and bisect the parking lot at the Station, substantially in the location identified on a plan entitled "Transit Village Parking Scenario, Drawing 6, dated 05 December 2007," a copy of which is attached to the MOA as Exhibit A; and

(iii) the MBTA and SSTTDC have established in the MOA a framework for the exchange of parcels of land to facilitate the relocation of the MBTA's parking lot and reconstruction of the

Station (collectively, the "Station Relocation Project"[1]) to facilitate construction of the Parkway on the conceptual alignment identified in Exhibit A while allowing the MBTA to provide the same level of service and convenience to its customers with no interruption in service. The Station Relocation Project is generally referred to in the EIR as the Multimodal Center.

The MOA details the exchange of land as follows:

(a) The MBTA shall convey to SSTTDC the fee interest in and to the parcel of land identified as Existing MBTA Parcel on Exhibit A of the MOA (the "Existing MBTA Parcel"). The Existing MBTA Parcel contains 4.8+/- acres and 540 parking spaces.

(b) SSTTDC shall convey to the MBTA the interests described in the MOA in the two parcels of land identified on Exhibit A of the MOA as Proposed MBTA Multimodal Facility ("Parking Lot A") and Proposed Future MBTA Expansion Parking ("Parking Lot B"), it being understood that such conveyance is conditioned upon SSTTDC's acquisition of such parcels from the Coast Guard and the Navy respectively.

(c) The parcels shall be contemporaneously conveyed upon the final completion of the Station Relocation Project, and each conveyance is conditioned on the other.

The mitigation commitments are as set forth in the MOA, and include the following:

1. Station Relocation Project.

(a) SSTTDC shall construct a replacement parking facility, containing a minimum of 660 parking spaces, on Parking Lot A. At its option, SSTTDC may construct a temporary parking facility (or facilities) on other property of SSTTDC to facilitate construction of the Station Relocation Project and the Parkway, provided that such parking spaces shall be in locations that are reasonably convenient to the station platform and meet the MBTA standards for safety, operations, path of travel, including any necessary track crossings by vehicles or passengers, all as reasonably determined by the MBTA. SSTTDC shall also maintain the minimum number of handicapped spaces as required by applicable law and in locations that are proximate to and on the same side of the tracks as the platform.

(b) SSTTDC shall construct, in stages so as to not interfere with continuous rail service, a new station platform, including customary amenities and facilities as specified by the MBTA, on the easterly side of the tracks. The platform will be designed to accommodate a future double

[1] The Station Relocation Project includes a present component and a future component, the latter being completion of Parking Lot B (to be begun but not completed as part of the present component) as described below in the section entitled, "Parking." Where the context requires, the phrase Station Relocation Project refers to the present component only.

track[1] as well as the existing single track, by the construction of a permanent platform together with a separate extension of the width of the platform to reach the existing track. The extension will be designed and constructed to serve as a permanent extension over the future location of a second track, but capable of removal without compromising the life or functionality of the permanent platform. Platforms shall include customary features, such as tactile edge, timber edge protection, variable message system, canopy, lighting, signage, benches, wind screens, hand rails, sign boards, trash receptacles, power outlets, etc., all as determined in the design review process and as approved by Railroad Operations.

(c) The existing platform will remain in place in anticipation of future use if and when a double track is installed. SSTTDC will secure the platform from access by the public, taking all reasonable steps to avoid it becoming an attractive nuisance.

(d) SSTTDC shall appropriately prepare Parking Lot B, including but not limited to subsurface utilities, surface and subsurface drainage structures, sign board foundations light pole foundations, and other surface and subsurface utility and foundations identified by the MBTA as necessary, compaction, contouring, electrical conduit for lighting, catch basins and oil-water separators and other drainage facilities for 201 parking spaces. When and as required under paragraph 4(b), Parking, below, in accordance with MBTA requirements, SSTTDC will complete Parking Lot B, including the installation of curbing, constructing, paving, striping and numbering of parking spaces, installation of signage, light poles and lights, pay boxes, shelters, and other facilities and appurtenances for a completed MBTA commuter rail parking lot in accordance with the design approved by the MBTA.

(e) SSTTDC will be responsible for all track and signal modifications deemed by the MBTA necessary or desirable for the Station Relocation Project.

(f) SSTTDC will be responsible for maintaining or replacing all of the utilities to the existing platform.

2. Construction of Parkway Bridge over the Tracks. SSTTDC shall cause its engineers and contractors to cooperate with MBTA railroad operations staff to ensure that access to the station, including temporary access provided for commuters to and from Route 18 and parking areas, is safe, convenient, clearly signed, and uninterrupted during the construction, including that of the bridge carrying the Parkway over the railroad tracks. The bridge shall have no elements of the structure within the MBTA track right of way and shall provide for sufficient height clearance as specified by the MBTA. The bridge design should not preclude the potential HP and pedestrian connection from the MBTA platforms to allow for an accessible path of travel to each platform. SSTTDC shall cause its contractors to adhere to all restrictions imposed by the MBTA in its sole discretion on account of safety and customer convenience of current operations, and all other

[1] The MBTA and SSTTDC acknowledge that the most likely opportunity to install a second track will be in association with the anticipated Fall River/New Bedford commuter rail extension project

restrictions in all other matters, including the design of the bridge, the clearances, the construction of the bridge, including subsurface construction such as pile driving and open cuts potentially affecting the right of way and rail function, details concerning the schedule for bridge construction, including times of day during which such contractors shall be allowed to install beams and other materials over the tracks or work practices adjacent to the right of way. The MBTA shall participate in early design coordination and timely reviews of designs and operations plans at appropriate stages of design.

3. Construction Management Plan. SSTTDC and it contractors will furnish a Construction Management Plan (the "CMP") for all work on the Project, and at a minimum for work related to constructing the bridge, temporary parking, permanent parking, track modifications, signal work and all phases of construction. The CMP should identify the work area of proposed work, hours of operation, equipment to be used and the activities to be performed. The CMP shall include details on construction staging and sequencing of work that, among other things, clearly identifies specific measures for avoiding interruption of rail service and avoiding passenger interference. At each stage of the work, SSTTDC and/or its contractors will submit to the MBTA a detailed work breakdown schedule that clearly identifies construction tasks and schedule of each for that stage. Prior to any work, the CMP shall be reviewed and approved in writing by both the MBTA and MBCR.

4. Parking.

(a) During construction of the Station Relocation Project, SSTTDC shall maintain a minimum of 540 spaces for MBTA commuters, including a minimum number of spaces for handicapped citizens as required by applicable law. The temporary spaces may be allocated among Parking Lot A, the MBTA's existing parking lot, and other property of SSTTDC or the master developer of the Base, provided that such spaces shall be convenient to the station platform and that the handicapped spaces shall be maintained proximate to, and on the same side of the tracks as, the station platform with a clear and safe path of travel. The temporary parking shall meet the MBTA design criteria for temporary parking lots.

(b) Upon completion, there shall be 660 spaces on Parking Lot A. In addition, SSTTDC shall prepare Parking Lot B to receive an additional 201 spaces. Preparation will include, but not be limited to, the complete design of the parking and the creation of all necessary "clean utility corridors" to allow for the future construction to proceed without compromising the environmental caps referred in the MOA. SSTTDC shall monitor parking utilization of the Station in accordance with this Section 61 Finding and complete Parking Lot B as warranted by monitoring results. The design of Parking Lot B will be performed concurrently with Parking Lot A. The accessible path of travel from Parking Lot B to the platforms will be lit for safe passage.

Further mitigation commitments are as set forth in the FEIR, and include the following:

The Proponents have committed to a comprehensive Transportation Demand Management (TDM) program, which incorporates the following elements:

1. Develop the Multimodal Center as described above.

2. Provide for an on-site transit shuttle bus system as warranted by resident/tenant demand that will provide regular service to homes, shops and offices within the development.

3. Encourage employers and commercial tenants to promote MBTA usage through fare subsidies and payroll deduction programs and promote the TDM program through additional means.

4. Encourage SouthField (the former Base) residents who commute to Boston to ride commuter rail. This will be by provision of convenient shuttle bus access to and from the Multimodal Center, by posting of train schedules in the shuttle bus, and by other efforts of the Transportation Management Association (TMA) described below. Such residents will also be the beneficiaries of employer-sponsored T promotional programs (fair subsidies, payroll deduction services) as are available to them.

5. Establish and maintain a TMA, with a TDM Coordinator, website, and programs to promote alternatives to single occupancy vehicles. The TMA will designate a TDM coordinator to oversee implementation and maintenance of the TDM program. The coordinator will also work with other businesses and TMAs in the region to identify opportunities to expand the proposed TDM program or coordinate TDM efforts on a regional basis. The TMA will establish a web site to provide information for Base residents and workers regarding the various transportation options that will be available to them. The TMA will host Transportation Awareness events on the Base, which will be organized by the TDM coordinator and will bring transportation organizations such as the MBTA, MassRIDES and local bus companies onto the Base to provide information on commuting and travel options.

Other mitigation commitments that are intended to reduce single occupancy vehicle use or the impacts of such use are:

1. Promote High Occupancy Vehicle Use (e.g., dedicated parking, vanpool, guaranteed ride home programs).

2. Encourage employers and residential developers to provide preferential parking for workers who drive hybrid or clean fuel vehicles.

3. Design a bicycle-friendly environment (trail network, bicycle storage, etc.).

4. Through zoning, restrict the number of parking spaces that may be provided.

To ensure that the TDM program described is effective, and to ensure that the off-site transportation mitigation measures will be adequate, a series of graduated TDM goals have been set and means developed to measure the TDM effectiveness. At full-buildout for the Base redevelopment project, the TDM goal is a 30 percent reduction in vehicle trip generation as compared to ITE trip generation rates for the uses on the Base.

Actual trip generation rates for vehicles will be determined through a traffic monitoring program to be initiated after occupancy as described below. The monitoring program will include the following elements:

1. Monitoring will be conducted after completion and occupancy of each development phase (1a, 1b, 2 and 3, as described in the FEIR).

2. Key roadway links and intersections will be monitored. Initially, these will include the off-site intersections proposed for mitigation as well as ten roadway links monitored as part of the baseline traffic count.

3. The counts conducted at the intersection locations will be peak hour turning movement counts, and the counts conducted on the roadway links will be performed using Automatic Traffic Recorder machines.

4. Transit ridership from the Base will be monitored (MBTA ridership counts, bus boarding counts).

5. Daily and peak hour counts at active vehicular access points to the Base will be monitored.

6. The monitoring program may include "license plate surveys" or similar methods to differentiate trips from the Base from those from the surrounding region (non-Base traffic) at particular intersections or roadways of special concern. The need for and scope of these surveys will be determined through discussions between the SSTTDC and the local communities. If the ratio of SouthField resident vehicles parking at the rail station exceeds 25%, the proponent will propose enhanced TDM techniques to encourage residents to access the station without using private automobiles.

7. Monitoring results will be compared to modeled traffic volume and intersection Level of Service projections. If monitoring results indicate that sustained Base-related traffic volumes are more than ten percent higher than projected, or the distribution of trips to and from the Base differs by more than ten percent from the distribution that CTPS forecast, the SSTTDC will initiate an evaluation of mitigation effectiveness with officials from the affected towns. SSTTDC will work with town officials to design and implement reasonable supplemental mitigation measures sufficient to address the identified additional Base-related traffic impacts.

Monitoring reports shall be prepared by SSTTDC and submitted to the MBTA, MassHighway, Metropolitan Area Planning Council, Old Colony Planning Council and the Planning Boards/Departments of Weymouth, Rockland and Abington.

Construction sequence and timing of the station modifications shall be as set forth in the MOA. It is anticipated that construction will be carried out as part of a legislatively-authorized design/build contract, and the design/build contractor will be closely involved in the detailed

sequencing decisions, made collaboratively through further discussions with the MBTA and SSTTDC.

Now, therefore, the Massachusetts Bay Transportation Authority, having reviewed the MEPA filings for the Naval Air Station Development Project, and in reliance upon the mitigation commitments incorporated into the MOA and in the FEIR, finds pursuant to M.G.L. C. 30, S. 61 that with the implementation of the aforesaid measures, all practicable and feasible means and measures will have been taken to avoid or minimize potential damage from the project to the environment.

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Massachusetts Bay Transportation Authority

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By

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[Date]

Comments on these Draft Section 61 Findings should be sent within 21 days (by DATE) to:

Jan. 14, 2009

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