



# *The Commonwealth of Massachusetts*

*Executive Office of Environmental Affairs*

*100 Cambridge Street, Suite 900*

*Boston, MA 02114-2524*

MITT ROMNEY  
GOVERNOR

KERRY HEALEY  
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD  
SECRETARY

January 6, 2006

Tel. (617) 626-1000  
Fax. (617) 626-1181  
<http://www.mass.gov/envir>

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS  
ON THE  
SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT REPORT/  
2<sup>ND</sup> NOTICE OF PROJECT CHANGE

PROJECT NAME : Gillette Stadium Parking Modifications  
PROJECT MUNICIPALITY : Foxborough  
PROJECT WATERSHED : Neponset  
EOEA NUMBER : 12037  
PROJECT PROPONENT : NPS, LLC  
DATE NOTICED IN MONITOR : December 7, 2005

As Secretary of Environmental Affairs, I hereby determine that the Supplemental Draft Environmental Impact Report (SDEIR) submitted on this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00). However, for the Supplemental Final Environmental Impact Report (SFEIR) to be found adequate, I am requiring the proponent to provide additional information in the SFEIR specifically pertaining to traffic and wetlands. This information is necessary to ensure that the requirements of 301 CMR 11.07 are met, that the aspects and issues of the project have been clearly described, that a range of project alternatives have been fully analyzed, that the proponent has committed to a set of mitigation that will allow the state agencies to satisfy their Section 61 obligations, and that there will be meaningful opportunities for public review of the additional analysis prior to any Agency action.

### **Background:**

The Final Environmental Impact Report (FEIR) for The New Patriots Stadium ('Gillette Stadium') and Public Infrastructure Project was reviewed by the MEPA Office in July 2000 and found to be adequate (EOEA# 12037).

Gillette Stadium is located approximately three miles south of I-95 and four miles north of I-495 on several parcels of land totaling 352 acres. The phased (Phase I-III) project consists of the replacement of the existing 61,000-seat Foxboro Stadium, located off Route 1 in Foxborough, Massachusetts, with a new open-air 68,000-seat stadium directly adjacent to the existing facility, along with related infrastructure improvements. Phase I involves the construction of the replacement stadium, and Phase II involves the construction of additional stadium and infrastructure facilities. Phase III involves the planning and development of a 325-acre Economic Development Area (EDA), excluding the site of the new stadium, to include a development program of approximately 600,000 sf of retail, office, hotel, restaurant, and theater/cinema space.

The total parking demand (employees and patrons) for Gillette Stadium (68,000 seat capacity) is approximately 23,200 spaces. More than 14,000 parking spaces are provided by the Stadium's on-site parking facility. Approximately 8,800 parking spaces (38%) are located in numerous satellite parking lots near the Stadium along Route 1. The concepts of consolidating parking and the use of satellite parking lots within the study area, such as the proposed expansion of the satellite parking facility, are documented within the FEIR. According to the proponent, ongoing development activity along the Route 1 corridor, and within the Economic Development Area (EDA), has raised concern for the availability of existing and future satellite parking spaces along the Route 1 corridor. The proposed project fulfills a number of goals of the FEIR, and the needs of the City of Foxborough and the New England Patriots organization by preserving and consolidating parking, and improving pedestrian and traffic circulation. Based on information contained provided by the proponent, the proposed parking lot expansion will not generate any additional traffic from what was originally projected in the Final Environmental Impact Report.

## **Project History**

### Gillette Stadium Parking Modifications Project – 1<sup>st</sup> Notice of Project Change

In June 2003, the proponent submitted a Notice of Project Change (NPC 1) and Phase I Waiver Request to the MEPA Office for the construction of improvements and the phased expansion (Phase 1 & II) of an existing 1,030-car surface parking lot located within a 39-acre parcel of property across from the Gillette Stadium (New Patriots Stadium) on Washington Street (Route 1). The proponent requested a Phase I Waiver to construct improvements to the existing parking lot and expand its capacity to accommodate an additional 990 surface parking spaces thereby allowing its construction to proceed in advance of the proponent's submittal of the Environmental Impact Report (EIR) for the proposed project. In July 2003, a Secretary's Certificate was issued for the proposed parking expansion project and required the preparation of a Supplemental Environmental Impact Report.

In a separate Certificate also issued in July 2003, the proponent's request for a Phase I waiver for the Gillette Stadium Parking Modifications Project in Foxborough was granted.

Phase I involved the upgrading of an existing gravel parking lot (1,030 surface parking spaces) and the construction of 990 new surface parking spaces (2,020 spaces total). The existing parking area and the proposed expansion area were surfaced with graded crushed stone. Phase I also involved the construction of approximately 3.5 acres of impervious surface area for an access roadway. The proponent constructed a stormwater drainage system and Best Management Practices (BMPs) in Phase I, consistent with DEP's Stormwater Management Policy, to control stormwater runoff from the proposed parking lot facility. According to the proponent, Phase I portion of the parking expansion project has been completed. In Phase II, the proponent proposed to further expand the proposed parking lot facility to accommodate an additional 1,980 surface parking spaces (4,000 surface spaces total). The Phase II parking area will be surfaced with graded crushed stone. The Phase II portion of the proposed project will also include the construction of approximately 3,190 linear feet (0.5 acres total) of impervious roadway. According to the proponent, the 2 stormwater detention basins constructed as part of the Phase I portion of the project will be expanded (approximately 2.3 acres total), modified and relocated in Phase II to accommodate the Phase II portion of the proposed project. According to the information provided in the SDEIR/NPC submittal, Phase II work was not initiated, and is to be included as part of the construction activities proposed in this SDEIR/NPC2 submittal.

#### Gillette Stadium Parking Modifications Project - 2<sup>nd</sup> Notice of Project Change

As described in this SDEIR/NPC2, the proponent has proposed additional project changes (NPC 2), involving the construction of approximately 2,000 surface parking spaces previously proposed as Phase II in the NPC 1 submittal, together with the construction of an additional 2,975 new pervious surface parking spaces, abutting the northern and western borders of the Phase I expanded parking facilities, and located across from the Gillette Stadium (New Patriots Stadium) on Washington Street (Route 1). Construction activities for the proposed NPC2 project will include the construction of approximately 5,600 linear feet (6.0 acres total) of impervious surface area roadway, and the implementation of various new pedestrian safety measures including a grade-separated pedestrian sidewalk, and 2 pedestrian underpasses located below the access drives to the proposed parking facilities. According to the proponent, the 2 stormwater detention basins proposed as part (Phase II) of the proposed NPC1 project will be expanded (approximately 2.3 acres total), modified and relocated to accommodate the parking expansion project as currently proposed.

As currently designed, this project is undergoing review and requires the preparation of an Environmental Impact Report (EIR) pursuant to 11.03 (6)(a)(7) of the MEPA regulations because it will result in the construction of 1,000 or more new parking spaces at a single location (approximately 5,950 new parking spaces total). Because the project proposes the alteration of wetland resource area located within the Town of Foxborough, it will require Orders of Conditions from the Foxborough Conservation Commission (and hence Superseding Order(s) from DEP if any local Orders were appealed).

The project will require a revised Access permit from the Massachusetts Highway Department (MHD). The project will also require a Section 401 Water Quality Certificate from DEP.

The Certificate on the NPC 1 required the proponent to prepare a SDEIR to provide additional information pertaining to the project's potential impacts to stormwater, wetlands, and traffic.

### **Drainage/Water Quality**

As described in the DEIR, the proposed project's stormwater management system has been designed, according to DEP Stormwater Management Guidelines, to remove the minimum of 80% of the total suspended solids (TSS), and will include the use of stormwater swales and deep sump catch basins connected via a subsurface collection system to convey stormwater to 4 detention basins and 2 infiltration basins located throughout the project site.

### **Wetlands**

As described in this NPC 2, the project site contains forested bordering vegetated wetland (BVW) resource areas, and one isolated wetland resource area. The currently proposed parking expansion project will not directly impact BVW resource areas, but will result in alterations to wetland buffer areas. The SFEIR should identify all buffers zones to wetland resource areas (including any banks, intermittent streams, perennial streams, land under the water, bordering land subject to flooding, and isolated land subject to flooding) present within the project site on a reasonably scaled plan, and should quantify any impacts to wetland buffer zones. The SFEIR should demonstrate that the proponent has minimized impacts (to both on-site and adjacent off-site wetlands) to the maximum feasible extent. The SFEIR should explain any local wetland requirements, and how compliance with these requirements affects project design. The SFEIR should address comments received from the Water Supply Citizens Advisory Committee regarding the project's stormwater impacts to wetland resource areas.

### **Traffic**

As described in the NPC 2, the proposed parking lot expansion project will not generate any additional vehicle traffic from what was originally projected in the Final Environmental Impact Report. According to the comments received from MHD, and the Town of Foxborough, the proposed parking lot expansion will result in a significant increase in pedestrian traffic and activities along Route 1 in the vicinity of existing stadium and satellite parking site drives.

The SFEIR should provide a detailed discussion of the proponent's proposed removal of the pedestrian crossings located at the P-3 and P-6 entrances, and the proponent's proposal to construct pedestrian underpasses beneath the P-10n and P-10S gates. The proponent should respond to these comments.

In their comments, MHD has requested that the proponent continue to work closely with the District 5 Office to modify the proponent's proposed Transportation Management Plan (TMP), previously prepared for the proposed New Patriots Stadium and Public Infrastructure Project, to clearly identify pedestrian crossings along Route 1, and potential impacts associated with the proposed relocation of Route 1 access points. The SFEIR should provide an update of the proponent's implementation of its TMP program commitments. The TMP program update should describe the results of any monitoring activities conducted by the proponent to ensure the success of the TMP program. The TMP program update should also describe the proponent's ongoing efforts to work with local officials to identify bus connections and potential shuttle bus services to and from activity nodes, commuter rail stations, and residential areas to the project site.

### **Construction Period Impacts**

The proponent should employ measure to minimize to the maximum extent practicable, construction period impacts, including: impacts from earth moving/blasting, impacts to vegetation, potential impacts from erosion and sedimentation, traffic impacts on adjacent roadways, and impacts to adjacent land uses. The proponent should also require its contractors to retrofit diesel-powered equipment with emissions controls, such as particulate filters or traps, and use low-sulfur diesel fuel. The proponent should also commit to specific TDM measures that can be implemented during construction.

### **Comments**

The SFEIR should respond to the substantive issues raised in the comments received to the extent that the comments are within the subject matter jurisdiction of MEPA. I recommend that the proponent employ an indexed response to comments format, supplemented as appropriate with direct narrative response.

### **Mitigation**

The SFEIR should contain a summary of all mitigation measures to which the proponent has committed. The SFEIR should include Proposed Section 61 Findings (in the form of a Draft Letter of Commitment in the case of MHD) for use by the state agencies.

**Circulation**

The SFEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to the Town of Foxborough officials. A copy of the FEIR should be made available for public review at the Foxborough Public Library.

January 5, 2006

DATE

  
Stephen R. Pritchard, Secretary

**Comments received:**

12/27/05	Department of Environmental Protection (DEP) – SERO
12/27/05	Town of Foxborough, Planning Board
12/27/05	Water Supply Citizens Advisory Committee
12/29/05	Massachusetts Highway Department (MHD)
12/27/05	Neponset River Watershed Association

SDEIR/NPC2 #12037  
SRP/NCZ/ncz