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March 20, 2006

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CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE SUPPLEMENTAL FINAL ENVIRONMENTAL IMPACT REPORT/ 2ND 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	: February 8, 2006

As Secretary of Environmental Affairs, I hereby determine that the Supplemental Final Environmental Impact Report (Supplemental FEIR), and 2ND Notice of Project Change (NPC2) 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).

Background:

The Final Environmental Impact Report (FEIR) for the phased (Phase I-III) construction of 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. Phase I consisted 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 II involves the construction of additional stadium and infrastructure facilities.

Phase III will involve 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. I anticipate that the proponent will file a Notice of Project Change (NPC) for Phase III (Phase III NPC) that will describe the full impacts of the Phase I and II development projects, together with the potential cumulative infrastructure impacts and site planning issues arising out of the future build-out of the 325-acre EDA (Phase III). Depending upon the status of planning for the proponent's planned EDA development, the Phase III NPC should also function as a "comprehensive master plan" to guide the layout and development of any additional future development and the related vehicular and pedestrian circulation patterns, in a manner that minimizes overall impacts. The proponent may wish to consult further with the MEPA Office on the appropriate scope and timing of further review.

Phase II – New Patriots Stadium Parking and Public Infrastructure Project

The 68,000-seat Gillette Stadium facility generates a total parking demand (employees and patrons) of 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, were originally documented within the FEIR. According to the proponent, the proposed construction of new additional surface parking spaces is intended to address the concern for the availability of existing and future satellite parking spaces along the Route 1 corridor being lost due to ongoing development activity in the project area.

1st Notice of Project Change (NPC1)

In June 2003, the proponent submitted a Notice of Project Change (NPC 1) and Phase I Waiver Request to the MEPA Office for the phased construction (Phase 1 & 2) of the expansion and improvements to an existing 1,030-car surface parking lot located within a 39-acre parcel of property across located on Washington Street (Route 1), and directly across from the Gillette Stadium (New Patriots Stadium). Based on information provided by the proponent, the proposed parking lot expansion will not generate any additional traffic from what was originally projected in the FEIR. 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 completion of the proposed 3-phased Gillette Stadium project.

Phase 1

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.

Phase 2

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 addition of the Phase II portion of the proposed project. I note that the Phase II work was not initiated, and is to be included as part of the construction activities proposed in this 2nd Notice of Project Change (NPC2) submittal.

In July 2003, a Secretary's Certificate on the NPC1 was issued for the proposed parking expansion project requiring the preparation of a Supplemental Draft and Final Environmental Impact Report (Supplemental DEIR, Supplemental FEIR). In a separate Certificate issued in July 2003, the proponent's request for a Phase I waiver for the Gillette Stadium Parking Modifications Project in Foxborough was granted.

2nd Notice of Project Change (NPC2)

In December 2005, the proponent submitted a Supplemental DEIR and 2nd Notice of Project Change (NPC 2) to the MEPA Office proposing additional project changes (NPC 2), involving the construction of approximately 2,000 surface parking spaces previously proposed as Phase 2 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 1 expanded parking facilities, and located across from the New Patriots Stadium on Washington Street (Route 1). Construction activities for the proposed NPC2 project include the construction of approximately 5,600 linear feet of impervious surface area roadway, and new pedestrian safety measures including a grade-separated pedestrian sidewalk and 2 pedestrian underpasses located below the access drives to the proposed parking facilities. The 2 stormwater detention basins constructed as part 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.

In January 2006, the Secretary's Certificate on the Supplemental DEIR/NPC2 was issued for the proposed parking expansion project requiring the proponent to provide additional information on project impacts and mitigation commitments regarding stormwater, wetlands, and traffic.

Drainage/Water Quality:

As described in this Supplemental FEIR/NPC2, the proposed project's stormwater management system has been designed in accordance with DEP Stormwater Management Guidelines to remove the minimum of 80% of the total suspended solids (TSS), and will incorporate 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:

The project site contains forested bordering vegetated wetland (BVW) resource areas, and one isolated wetland resource area. The proposed parking expansion project will not directly impact BVW resource areas, but will result in alterations to wetland buffer areas. Approximately 73,000 sf of the 100-foot wetland buffer area will be impacted by construction activities to locate a portion of the proposed gravel parking area, grading, and stormwater detention basins. The proponent has committed to a landscaping plan that focuses on the reforestation of approximately 95% of the impacted 100-foot wetland buffer area

Traffic:

As described by the proponent, the proposed parking lot expansion project will not generate any additional vehicle traffic from what was originally projected in the FEIR for The New Patriots Stadium and Public Infrastructure Project (EOEA# 12037, July 2000). The proposed parking lot expansion and pedestrian improvements have been design to enhance pedestrian safety and decrease the conflicts between vehicle and pedestrian movements along Route 1 in the vicinity of existing stadium and satellite parking site drives during Stadium events.

The proponent's pedestrian circulation improvements include the construction of a Pedestrian Safety Zone along portion of the north and south sides of Route 1 fronting the entrances to Stadium Parking Areas 10 North and 10 South (P-10N, P-10S), and the construction of 2 pedestrian underpasses, to be located beneath P-10N and P-10S entrances. According to the proponent, these pedestrian improvements will provide safe and efficient vehicle access to the improved Stadium parking lots, and will also provide direct pedestrian-safe connections from proposed on-site and off-site Stadium parking areas to proposed pedestrian walkways and sidewalks serving the Patriots Stadium site.

The proponent, in consultation with MHD, has committed to modify its existing Traffic Management Program (TMP) to include the following:

- the relocation of P-10South access gate 300' south on Route 1,
- constructing geometric modifications to P-10South and P-10North access gates to provide a second turning lane in and out of both gates,

- revising P-10 North and P-10South parking management areas,
- increasing the number of ticket processing stations within the p-10 North and South parking lots,
- implementing a Pedestrian Management Program for the P-10 North and South parking lots and the Pedestrian Safety Zone at the Route 1 crossing,
- implementing a snow and ice removal program for pedestrian facilities located along both sides of Route 1 frontage of the Stadium frontage, and within Stadium controlled parking areas, and
- providing a Walpole Police detail to discourage Stadium patrons from parking in the Summer Street/Nottingham Way neighborhoods in Walpole for Stadium events.

The proponent has committed to modify its existing Transportation Demand Management Program (TDM) to include;

- promoting the use of satellite parking at existing designated Park'n'Ride facilities,
- implementing a ride-matching program, including coordination with MassRides, to promote car/van pooling opportunities for employees and patrons,
- consolidation of HOV parking amenities within the project site,
- evaluating the implementation of a prepaid parking program, and coordination with MBTA to expand the use of existing commuter rail service to the Stadium, and
- implementing a Traffic Monitoring Program that will monitor traffic and parking patterns for Stadium events on an annual basis for a period of five years.

I ask that the proponent continue to work closely with local officials, and the MHD's District 5 Office to identify any additional opportunities to modify the proponent's proposed Transportation Management Plan (TMP), Transportation Demand Management (TDM) program and Traffic Monitoring Program to address vehicular traffic and pedestrian safety issues within the project area. In particular, I ask the proponent to continue to work with the MBTA to expand the use of existing commuter rail service to the Stadium, and to identify bus connections and potential shuttle bus services to and from activity nodes to the project site.

As I have indicated elsewhere in this Certificate, I anticipate that the proponent's Phase III NPC submittal will include an analysis of the potential impacts to vehicular traffic and pedestrian circulation that may arise from the future Phase III build-out of the EDA area.

Construction Period Impacts:

The proponent has committed to employ measures to minimize 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 has also committed to requiring its contractors to retrofit diesel-powered equipment with emissions controls, such as particulate filters or traps, and use low-sulfur diesel fuel, and to implement TDM measures during project construction.

Mitigation:

The proponent should forward to the MEPA Office for the file an updated summary of all mitigation to which the proponent has committed, and an updated and revised draft Section 61 Findings for DEP and MHD permits. The Section 61 Findings for MHD should be in the form of a draft Letter of Commitment.

March 20, 2006
DATE


Stephen R. Pritchard, Secretary

Comments received:

03/10/06 Department of Environmental Protection (DEP) – SERO
03/08/06 Water Supply Citizens Advisory Committee
03/13/06 Massachusetts Highway Department (MHD)

Supplemental FEIR/NPC2 #12037
SRP/NCZ/ncz