



Help us help the

Jones River Watershed Association

PO Box 73
Kingston, MA 02364
781-582-2500

5 April 2003

Ellen Roy Hertzfelder, Secretary
Executive Office of Environmental Affairs
Attention: MEPA Office
Jay Wickersham, EOEPA No. 12868
251 Causeway Street, Suite 900
Boston, MA 02114

Re: DEIR Plymouth Gateway, Commerce Way, Plymouth

Dear Secretary Roy:

I have reviewed the Draft Environmental Impact Report on behalf of the Jones River Watershed Association and the town of Kingston Open Space Committee. The comments herein offered are generally confined to impacts to water and air quality, and open space resources near to the project site.

Concerns arise because the proposed project is to clear cut and level an additional 70 acres of forested land next to the already vast sand and gravel operation, Plymouth Industrial Park, Route 44 construction project, and nearby Kingston Independence Mall and MBTA layover yard, without any significant mitigation. I urge the Secretary to require a supplemental DEIR to address the following:

- Impacts to wildlife and habitat interests on nearby land of the Wildlands Trust and Sisters of Divine Providence, which are not mentioned;
- Provision for bike paths or pedestrian considerations;
- Air quality degradation which will occur both during construction and post development which can be further mitigated;
- night light pollution, should be quantified and mitigated;
- mitigation for imperviousness which could be provided by examining an alternative that includes stacking parking (garages) to minimize the footprint of the 77 acres of proposed asphalt, and provide a functional open space buffer to the project;
- a commitment to water resource conservation and protection.

The October 2002 Certificate set out guidelines for the preparation of the EIR on Plymouth Gateway—then a somewhat smaller project—including the following:

- The project should discuss: lights, roadways, pedestrian and bicycle paths, and significant natural resources (including Zone IIs, and public open space) ;

- EIR should describe the legal mechanism by which any on-site open space will be permanently protected.
- Traffic: EIR should take into account for baseline conditions traffic projections from other future development proposals in the vicinity....should consult with MHD, Plymouth and Kingston ..
- Air Quality: 25,000 vehicle trips...mesoscale analysis.....should provide pedestrian and bicycle routes and improvements.

Discussion

The site is located atop the EPA designated Plymouth-Carver Sole Source Aquifer at the surface water divide between the Jones River, the southern portion of the South Coastal basin and the Taunton River watersheds. The forests on the existing lands form a continuum of native landscape that provides cover to an array of wildlife indigenous to and returning to the Southeastern Massachusetts region, including coyotes. The soft sand mounds and plains that are being removed in order to level the site provide filtration to the rainfall that supplies the Towns of Plymouth and Kingston with significant public water supplies and provides discharge to nearby Muddy Pond and possibly Little Smelt and Smelt Ponds.

Open Space

The town of Kingston and the private non-profit Wildlands Trust as well as the Catholic Sisters of Divine Providence own significant open space resources in the area despite the cutting influence of the newly constructed Route 44. The DEIR states that the DEM owns Camp Nekon, but this is not the case. Camp Nekon is owned by the Town of Kingston as municipal land. It has significant kettle hole ponds which are vernal pools and support rare species habitats. The DEM leases the Monk's Hill fire tower from the Town and owns the abutting Kingston Town Forest. These properties were seriously and negatively affected by the realignment and construction of Route 44. A pedestrian/wildlife underpass is being constructed by MHD to maintain a link between the open space forest on the north and on the south of this highway in the vicinity of the Great Mink Hole. This will provide at least some passage between the Town Forest/Camp Nekon and the large Camp Mishannock and Sisters of Divine Providence land and the Wildlands Trust Preserve.

A buffer should be provided on the project site to protect these assets and even provide a connection between the Wildlands Trust and the Parting Ways Cemetery to Camp Norse. The tremendous rate of development as evidenced by the proposed sprawling complex requires proactive preservation at this time. The applicant should be required to buffer its impact on adjacent Wildlands, set aside meaningful and functional open space, and provide for its long term protection.

Nick's Rock

Nick's Rock was a known cultural artifact. It had been highlighted in Kingston's 1987 Open Space Plan as a site of historic interest and importance. It was designated for protection. The story is that the Landers company crushed Nick's Rock, despite not having a gravel removal or earth moving permit in Kingston. This is striking example of how out of bounds is the present earth moving work and the need for site controls. None are proposed.

Bike paths and traffic

The traffic mitigation proposed is to benefit the site. It is very likely that a great percentage of traffic will be generated by cars leaving or returning to Route 3 on Exit 8 in Kingston—as is the present earth moving by the Landers company. The existing work has had very noticeable and damaging effect on the condition of the roads. It is troubling to travel with constant semi-tractor earth hauling traffic. Traffic study is appropriate for the vicinity of Exit 8. Mitigation should be considered for Exit 8 and the Independence Mall roads for during and after construction.

The proponent promises bike racks, but no bike paths are mentioned. There is opportunity to provide bike paths along many of the ways near the site. They should be considered and constructed.

Lights

Light pollution is becoming very serious in this area. One look to the Earthlights on the internet will reveal the dazzling glow from this area reaching to outer space. It is completely unnecessary, and harmful to the environment both in terms of impacts to birds and wildlife, ruination of the quiet quality of the nights, and wasteful of energy. Please consider controlling the wattage as well as the direction of lighting.

Air Quality

Take a canoe or kayak out to Plymouth Bay and look back to the shore. On a day with a stiff breeze you will see a sand storm hovering over the route 44 and Landers sites. The “mitigation” proposed during construction is inadequate. The degree of wholesale land clearing must be reduced so that the landscape can be controlled and stabilized. An order of construction should be discussed that describes how the existing site will be secured before additional vegetation is stripped.

The project will introduce 25,000 cars to the area, after construction is complete. Yet there is NO mitigation to the reduction in air quality. The landscape should be re-vegetated to the degree necessary to mitigate the ozone producing emissions that will be brought to the site. The lame discussion in the DEIR to shirk this responsibility is shameful.

Water

What will be the fate of the 1MGD well on the Landers site?
Consider use of stormwater to irrigate the landscape.

Stormwater

Reduce the amount of pavement by providing parking garages either above or below ground.

Acknowledged Impacts

- 77 acres new parking and 20 acres of buildings, 43 acres of landscaping and
- Stormwater
- air quality during construction
- increase construction noise

Other Impacts

- ⇒ loss of wildlife habitat
- ⇒ light pollution
- ⇒ loss of air quality

- ⇒ water consumption
- ⇒ wastewater impacts to Eel River watershed
- ⇒ stress on existing open space
- ⇒ Impacts to Kingston roads related to Exit 8 from Route 3, ie. The Independence Mall Rd.
- ⇒ dust storms related to land exposure which occur now and will increase during construction

Mitigation/Alternatives proposed

- 45 acres of landscape design of fragmented openspace replacing 100 acres of mature pine and oak forest
- traffic mitigation in Plymouth only
- stormwater BMPs and infiltration

other Mitigation Alternatives not considered

- ⇒ plant trees to buffer air quality impacts in relation to the vehicle emissions
- ⇒ conserve land as designated open space/wildlife habitat
- ⇒ use plantings to provide functional habitat
- ⇒ Parking garages—underground or elevated. In order to permit more tree cover, especially near existing protected lands of the Wildlands Trust, and DEM
- ⇒ limits on light wattage and emission
- ⇒ bicycle path construction
- ⇒ phased construction