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Comments on the Proposed Lovell Field Pedestrian Foot Bridge

The Town of Weymouth is seeking permission to construct a pedestrian pathway and foot bridge over Herring Brook (aka Weymouth's Herring Run), between Commercial Street and Lovell Field, adjacent to the MBTA Commuter Rail Station located in lower Jackson Square. The proposed Lovell Field Foot Bridge will have immense impact on the ecology of the historic Weymouth Herring Brook and the nearby wildlife estuarine environment, as well as the wider Back River.

During the design phase of Lovell Field, the Back River Watershed Association (BRWA), with the support of others, worked closely with the Town to strike a balance to ensure that the Herring Brook would be protected while providing new playing fields for Weymouth's youth. Our two main concerns were to ensure that the plastic pellets used in the artificial turf infill, which is harmful to aquatic life and wildlife, would not migrate into the Herring Brook and to limit lights and other activity which would disturb wildlife along the banks of Herring Brook. The result was a slightly smaller field size and the creation of a berm delineating a 100-foot buffer zone between Lovell Field and the Herring Brook. Now, only a few years later, the Town is proposing to breach both the berm, the 100-foot buffer zone and its smaller 25-foot "No Disturb Zone" to construct the proposed Lovell Field Pedestrian Foot Bridge.

The BRWA's main concern is to protect the Herring Brook, a designated Outstanding Resource Water. A healthy and productive Herring Brook is also a significant part of Weymouth's History, and can be traced back to the Town's earliest records of 1648. More importantly, the proposed project site is part of the Weymouth Back River, an Area of Critical Environmental Concern (ACEC) as designated by the Massachusetts Office of Energy and Environmental Affairs in 1982, regulation 301 CMR 12.00.

Weymouth's ACEC designation recognizes its significant ecosystems and is intended to foster appreciation and stewardship of unique natural and cultural resources of the area. Projects within its boundaries are subject to state agency jurisdiction and/or regulation. In addition to its ACEC designation, the Back River, including the Herring Run, is also a designated a Local Scenic River, Wildlife Refuge, and One of Massachusetts' Special Places. Designations Weymouth fought hard to obtain.

The Back River Watershed Association is a 501(c) (3) tax exempt organization organized to preserve, protect, and promote the Back River and its watershed in Weymouth, Hingham, and parts of Abington, Rockland & Braintree.

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The Weymouth Back River, ACEC is protected by numerous sections of the Massachusetts Wetlands Protection Act, 310 CMR. Including, among others, sections 10.35 - Banks of/or Land Under the Ocean, Ponds, Streams, Rivers, Lakes, or Creeks that Underlie an Anadromous/Catadromous Fish Run ("Fish Run"), 10.37 - Estimated Habitats of Rare Wildlife (for coastal wetlands), 10.59 - Protection of Rare Species sections and 10.54 - Bank (Naturally Occurring Banks and Beaches) through section 10.58 - Riverfront Area. We believe that M.L.G. ch.131,40 standard has not been met, as there is significant Adverse Impact on the Riverfront and there is a practical and substantially economic alternative to the project with less adverse effects.

Other applicable regulations include the Town of Weymouth's Wetland Ordinance and Massachusetts River Protection Act. The Back River is a perennial river and is protected under Massachusetts River's Protection Act chapter 258 protecting the Commonwealth's rivers, streams, and adjacent land. Further, the Massachusetts Endangered Species Act Regulations M.G.L.ch.131 A protects many species found at the Weymouth Back River.

Finally, as pointed out in *The Ecology of the Back River - A Monograph*, published in 2019, anadromous fish runs, like Herring Brook, are an important component of the fisheries of the Weymouth Back River estuary, which harbors many protected species including Rainbow Smelt, River Herring, American eel, and White Perch. And, since the proposed project is funded (approximately \$500K) by the state it is also subject to state review and closer scrutiny to avoid or minimize adverse environmental impacts.

The construction of the Foot Bridge requires the cutting of at least 25 trees along the banks of the Herring Run, which is a Weymouth Conservation wooded area. This is a violation of Massachusetts General Law (M.G.L.) CMR 310 ch.40, which prohibits altering [destruction] of vegetation if the Riverfront Area [this stream considered a perennial river as it is directly connected to a perennial river and presumed to be significant to water supply, flood control, storm damage and pollution prevention, and to the protection of wildlife habitat, fisheries and shellfish. M.G.L. also states that work can only be allowed in the Riverfront Area if, 1. It will not do permanent damage, and, 2. There is no economic alternative. Furthermore, no mowing or clearing of understory brush is allowed and vista pruning is not allowed for the first 50' feet.

Removal of the trees or any part of the canopy negatively impacts many species of birds, some of which are rare species listed as protected with the state. This loss of habitat in the river flyway, where these birds feed, nest, and roost, combined with the interference of the proposed foot bridge will cause these species to leave the area. The wooded area must remain intact or the predation activity will change as seagulls replace the osprey which are now thriving in this area especially during the annual herring migration. Trees provide shade, quite protection and wildlife habitat, and decrease noise which reduces stress to herring, wildlife and people. Climate change poses many threats for our environment and we need to grow more trees as storms and droughts are increasingly harming our forested areas.



We also believe construction in the buffer zone and Riverfront threatens the stability of the riverbank where soil is contaminated from previous dumping by old industries. What soil test borings have been done on this site? What are the results of these soil test borings? The trees species that are now holding the riverbank in place, some of which the proposed project will eliminate, such as Black Locust, Swamp Maples, and Ash have adapted to the contaminated soils conditions on the site. Any disturbance of the contaminated soils or removal of trees and vegetation will result in toxic pollution which will expose the Herring Brook and the wider Back River/Great Esker Park area to increased pollution.

The proposed distance of the bridge between the abutments, where it actually spans the river and its adjoining banks, is 120 feet. The BRWA is greatly concerned that the artificial turf infill (plastic pellets), picked up by athletes and guests in their footwear, gear, and clothing will be tracked into the buffer zone along the proposed pathway and pedestrian foot bridge, further contaminating the wetlands, Herring Brook and Back River. Plastics entering the ecosystem have a tremendous negative impact, leading to toxins entering the food cycle of wildlife like herring and osprey, and humans. Heavy use of the proposed Lovell Field Pedestrian Foot Bridge will likely lead some people to dump trash like Styrofoam, treated paper, and plastic pollution directly into the Herring Run, traveling downstream to Back River and the greater waters of Hingham Bay, Quincy Bay, and Boston Harbor. This pollution will impose enormous risks and excessive cleanup for our hardworking, overburdened Herring Wardens who maintain the health of the Herring Brook.

Lighting near the bridge will also negatively impact the active night time migratory and feeding patterns of herring, osprey, night heron, other birds and wildlife that are stressed by light and need dark conditions. And, public safety is also a concern since there is drug and alcohol activity and homeless in this area. What are the liabilities for the Town to consider?

We believe the project, as proposed, will cause significant harm to the fragile and sensitive ecosystem of Herring Brook. River herring are two species, known as alewife and blueback, that are listed with the state as Species of Special Concern and are protected by law. They are also recognized as the keystone species supporting the marine food web that supports off shore commercial and recreational New England Fisheries. Today their importance cannot be overstated both environmentally and economically. Other fish species within the estuary include: Atlantic Silverside, three and four Spine Stickleback, Mummichog, Northern Pipefish, Striped killfish, Winter Flounder, Striped bass, Atlantic Menhaden, Black Sea Bass, and Bluefish. There are Sweet Clams and shellfish such as Horse Shoe Crab and others residing in the estuary.

There are also 150 species of birds many listed with the state and Mass Audubon Society including Rare Species, Special Concern, Threatened, and Endangered. Among these essential birds are Green and Blue Egrets, Great Blue Herons, Black-Crowned Night Heron, Red Tailed Hawks, Snowy Egrets, Barn Owl, Upland Sandpiper, Osprey and the Bald Eagle. There are also numerous mammals, reptiles, and amphibians in the estuary, some of which are designated Special Concern, Threatened, or Endangered, such as the Eastern Box Turtle, Blue Spotted Salamander, Wood Turtle, Red Bellied Turtle and others. Vascular Plant species and insects are also important to this ecosystem.

The walk from the MBTA parking lot to the Lovell Field is less than five minutes. The Stephen Rennie Park entrance and existing bridge provide easy access to the field and already provides a viewing area

for the herring. The BRWA recommends that the Town seek alternatives to this unnecessary project such as a safe drop off/pick up area and the creation of additional parking, especially handicapped parking at the Lovell Field as well as, better signage to direct people to/from the MBTA parking lot. The proposed foot bridge diverts foot traffic away from local businesses including, Dunkin Donuts, Jackson Square Tavern, CVS, Nikos, the Venetian, etc. which counters the Jackson Square revitalization efforts.

In closing, we do not believe the proposed project meets the standard and the spirit of the above-mentioned regulations and will result in the loss of habitat, threatening the species identified above. And, what of the legal agreement the Town of Weymouth has with the MBTA for public parking at the lot? What are the terms and for how long? Could this project all be for nothing if the MBTA at some point in the future decides not to continue the contract? In our view, the risk to the sensitive ecosystem of Herring Brook is too high for the sake of saving a few minutes walking to/from the field. This is why the BRWA along with many concerned residents of Weymouth are standing opposed to the current proposed project

In 2020, a year wrought with many difficulties for our country, our need for nature is even greater and we all must work together to preserve and protect it.

Respectfully,

A handwritten signature in black ink that reads "Linda J. DiAngelo". The script is cursive and fluid, with the first name "Linda" and last name "DiAngelo" clearly legible.

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