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15 State Street, Suite 1100
Boston, MA 02109
617.223.8671
bostonharbornow.org

January 5, 2018

Via email to: Ben.Lynch@state.ma.us

Ben Lynch
Director, Waterways Regulation Program
Massachusetts Department of Environmental Protection
One Winter Street, 5th Floor
Boston, MA 02108

Re: 150 Seaport Boulevard, Written Determination for License Application Number W17-5032-N

Dear Mr. Lynch,

On behalf of Boston Harbor Now, we submit the following comments for the 150 Seaport Blvd. written determination submitted on December 15, 2017. This is not an appeal of the written determination.

Public Access: Seaport Wharf & Massport Wharf (Draft Special Conditions 2-5 and 10-13)

We wholeheartedly agree with the Department that restaurant seating for this waterfront property, while a good way to promote public use and enjoyment, should be limited to the second-floor balcony area. To adequately address the community's wish for an expanded Harborwalk, the Seaport Wharf extension should not include any restaurant seating and, but for a few benches and amenities, provide unobstructed public access over flowed tidelands.

Additionally, we thank the Department for making the determination that the 500SF ground floor area should be reserved for public restrooms and a public waiting area. We appreciate the detailed requirements for exterior and interior signage, wayfinding signage, and draft management plan.

Parcel assemblage and ownership

As we have mentioned on previous occasions, parcel ownership and control is a persistent concern. While we appreciate that Page 4 of the written determination states the project site is owned and legally

controlled by the Applicant, we could not find a diagram or document to support this statement. Ownership and legal control prior to the issuance of a Chapter 91 license was a condition of the Secretary of Energy and Environmental Affairs Decision on the South Boston Municipal Harbor Plan Renewal and Amendment issued on December 21, 2016. The final license document should include supporting documents to satisfy the Secretary's condition.

Water Transportation Subsidy (Draft Special Condition 8)

We are encouraged and grateful for the \$399,639 subsidy for water transportation within Boston Inner Harbor. We are glad to see the funds will be contributed to a broad area and provide water transportation benefits to a wide set of users within Boston Harbor. As a general comment, we would recommend aggregating water transportation subsidy accounts and establishing a clear process for all Chapter 91 projects proposing to contribute to transportation efforts moving forward.

Public benefits: arts & culture (Draft Special Condition 7)

Part of the original public benefits for the project included monetary contributions and space to local arts organizations. Specifically, exhibit space for the Society of Arts and Crafts, contribution to the Fort Point Arts Community (FPAC), and sponsorship for Artists for Humanity at 150 Seaport Blvd.

Of the three benefits included in the proponent's Chapter 91 filing, only one is defined in the written determination. However, the \$250,000 contribution previously marked for the FPAC space at the Envoy Hotel will now be distributed to the BPDA for the build-out of a to-be-determined civic space. It is unclear if this a change from the project filing and whether FPAC arts and culture organization continues to be the intended recipient.

We are disappointed with the change to the arts & culture benefits and remain puzzled by the lack of detail offered for the proponent's contribution to the local arts. These were public benefits we were pleased to find in the Chapter 91 filing and continue to strongly support.

We look forward to reviewing a draft management plan for the project. Thank you for your consideration.

Sincerely,



Jill Valdes Horwood
Director of Policy