



Are you on board?

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March 9, 2018

Via email to: Lisa.Engler@state.ma.us

Lisa Berry Engler
Assistant Director
Office of Coastal Zone Management
251 Causeway Street, Suite 800
Boston MA 02114-2136

Re: Designation Report for the South Boston Designated Port Area (DPA) Boundary

Dear Ms. Berry Engler,

Thank you for the opportunity to comment on the Designation Report for the South Boston Designated Port Area (DPA) Boundary submitted February 7, 2018. Our policy team was present at the February 26th public meeting hosted by the Office of Coastal Zone Management (CZM). We want to say upfront that we applaud CZM for its commitment to a comprehensive process, open dialogue, and willingness to receive community feedback. We strongly support CZM's decision to review and expand the DPA boundary area to include the group of parcels south of the Reserve Channel beyond the initial individual site request and to enlarge the DPA by three acres as a result of the net changes in the redrawing of the boundary.

In our August 11, 2017 comment letter, Boston Harbor Now expressed its continued support for a strong and thriving working port. In January of this year, we hosted a two-day event to highlight the importance of the maritime economy, the current state of Boston's working port, and ways to increase the resiliency and innovation of our working waterfront. Maintaining a robust working port is a priority for us, as we know it is for the State, and demands that the maritime economic uses on our limited waterfront continue to be a priority.

Our brief comments focus on the potential impacts to existing operations at Conley Terminal and identifying potential use limitations and restrictions.

Overview

Acknowledged by CZM as an important driver of the Boston and Greater New England economies, the DPA section under review includes Conley Terminal, the Boston Harbor Lobstermen's Cooperative, and a

high concentration of water-dependent maritime industrial uses. As defined in 301 CMR 25.00, the DPA boundary review criteria is best applied across a wide area of the waterfront and not to individual parcels. This helps to improve the review factors affecting the suitability of a particular area to be included or removed from the DPA boundary.

To ensure a review that results in, “coherent areas with groups of parcels that are delineated by shared physical, geographical, and land use characteristics,” CZM elected to divided the area under review into three distinct planning units:

- **Haul Road North Planning Unit** – a 112-acre area defined as the area between Summer Street and the eastern edge of Conley Terminal and no further south than the newly constructed Thomas J. Butler Dedicated Freight Corridor (freight corridor). We support CZM’s decision to keep the Haul Road North planning unit within the DPA boundary.
- **Haul Road South Planning Unit** (removed) – a 25-acre area south of the DFC and north of East 1st street, that contains an MBTA owned emergency power plant, MBTA bus yard, and the Thomas J. Butler Memorial Park. We support CZM’s decision to remove the Haul Road South Planning Unit from the South Boston DPA.
- **Day Boulevard Planning Unit** (added) – a 28-acre area sandwiched between Conley Terminal and Castle Island that was included in the review at Massport’s request. This area is currently used for Conley Terminal offices, equipment maintenance, and truck ingress/egress. We support CZM’s decision to include the Day Boulevard Planning Unit within the DPA boundary.

Prior to this designation report, the DPA south of the Reserved Channel encompassed a total of 137 acres of working waterfront—from the Summer Street bridge through to Castle Island and south to East 1st Street. If the proposed boundary review remains unchanged, the inclusion of the Day Boulevard Planning Unit will result in an overall net gain of three acres of DPA for the South Boston waterfront.

Changes to the DPA boundary must consider the significant financial commitments made to support and expand operations at Conley Terminal. Massport, the Commonwealth, and the Federal government are currently investing \$850 million to update Conley Terminal and deepen Boston Harbor’s shipping channels to accommodate larger vessels and increased maritime business. Additional investments to the Thomas J. Butler Dedicated Freight Corridor and the Thomas J. Butler Memorial Park were made in response to the competing needs of both the working waterfront and the South Boston community.

We understand that CZM’s purview does not extend beyond this boundary review and to the potential future development of the Haul Road South Planning Unit. Nonetheless, CZM’s policy guide does recognize that meaningful safeguards are needed to ensure that “non-conforming” activity does not significantly impair the ability of a DPA to serve the primary state and regional interest for which they were established (CZM Policy Guide, p. 48). To that end, CZM must be proactive and take steps to ensure that Conley Terminal activity and marine industrial uses in this area are maintained as the highest priority with conflicts between working port and other non-maritime related uses minimized. In particular, ensuring that past efforts to improve operations via the freight corridor and to create a buffer between maritime activity and residential uses are not abated.

All potential use limitations and restrictions should be well-defined and included as part of the final designation report. During the February 26 public hearing, we heard two concerns that warrant further attention before the final designation report is approved.

First, the final designation report should make clear the needs and extent of security measures implemented by Massport for the freight corridor—specifically, restrictions on, underneath, and around it. Any significant restriction to uses underneath the freight corridor and along the water’s edge at the Haul Road South Planning Unit should be clearly identified.

Second, CZM determined and it is our understanding, that as a result of height limitations imposed by the freight corridor the shoreline at the Haul Road South Planning Unit is no longer functionally connected to the DPA watershed. Additional insights into the current status of the shoreline and studies conducted by CZM to establish the use and access to the water’s edge may be helpful documents to include in the final report.

We would like to thank CZM for continuing to promote water-dependent industries as an important sector of the State’s economy and for preventing the loss of waterfront areas with characteristics capable of supporting water-dependent maritime business. Thank you.

Sincerely,



Jill Valdes Horwood
Director of Policy