



Are you on board?

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July 13, 2018

Via email to: Alexander.Strysky@ma.us.gov

Secretary Matthew Beaton
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge Street, Ste 900
Boston, MA 02114

Attn: MEPA Office: Alex Strysky, EEA#15728

Re: Neponset Wharf, 24 Ericsson Street, Draft Environmental Impact Report/Draft
Project Impact Report, EEA# 15728

Dear Secretary Beaton,

On behalf of Boston Harbor Now, thank you for the opportunity to comment on the Draft Environmental Impact Report for the Neponset Wharf project, submitted by City Point Capital.

As filed, the DEIR builds on the information presented in the ENF submitted in June 2017 for which Boston Harbor Now submitted comments. Boston Harbor Now appreciates the proponent's commitment to amending project plans based on feedback from the Port Norfolk community and interested stakeholders. We continue to have concerns regarding the long-term environmental impacts, public access, and effects to the existing community of this proposed development, specifically:

- The approval of maintenance dredging based on a permit from 1996,
- Removing non-water dependent buildings from Chapter 91 jurisdiction to reduce the project mitigation requirements,
- The elimination of the proposed Tenean bridge connection, and
- The effects of increased traffic on the existing Port Norfolk community

Project Description

According to the DEIR, the proponent would like to proceed with a reduced build option, which includes four mixed-use commercial and residential buildings on the Port Norfolk peninsula

covering 7.6 acres (3.6 acres of developed land and 4 acres of watershed along the Neponset River and Pine Neck Creek). Since June 2017, there have been several changes to the proposed development, which include:

- A reduction in the proposed floor area,
- The Elimination of pedestrian bridge,
- A reconceptualization of the retail space,
- Improvements in the climate resilient landscaping and environmental best management practices; and
- An Upgrade in sustainable design under LEED to a Silver Level.

Area of Critical Environmental Concern (ACEC)

The Neponset Wharf project falls within the boundary of the Neponset River Estuary ACEC. Boston Harbor Now is particularly interested in the effects of dredging on this resource area.

Dredging with the ACEC

Although Boston Harbor now supports the proponent in its desire to rehabilitate a site and structure for water-dependent uses, this should be balanced with public needs and the sensitive resources of the ACEC. According to the proponents, the rehabilitation of the marina, and the financial viability of this project cannot be completed without dredging for larger vessel accessibility. There is a proposed 128,150 square feet of dredging to a depth of six feet below mean low water to ensure sufficient draft for vessels even through extreme low tides. This would lead to a removal of 24,219 cubic yards of infill (Section 8.2).

Proposed dredging will include a debris boom with a bottom-weighted siltation curtain to avoid the migration of sediments during any silt-producing activities, and the work will be conducted after the submission of a Major Dredge Project Certification, submission of a Water Quality Certification, and in close proximity of local, state, and federal regulatory bodies.

Despite these stated precautions, the DEIR does not address the contamination of PCBs on shellfish beds, mudflats, beaches, and marshes. The extent of PCB contamination in the proposed dredge area is also unclear. Further, the license to dredge for this area is missing from DEP records, and the proponent is relying upon the 1996 RMP and an aerial photo from 1938 (see Figure 8.7) to prove prior permits (Section 8.4.3). Prior dredge permitting of this area would allow the proposed project to qualify as maintenance dredging under 314 Code of Massachusetts Regulation 9.00. Boston Harbor Now remains concerned about the proposed maintenance dredging based on approvals from over 20- and 100-years ago.

We ask the State to examine the impact of allowing a dredge permit based on licensing from over 20-years ago, without considering current environmental impacts on the Neponset River Estuary ACEC.

Waterways Regulations

Since the ENF filing, the proponent pulled all residential buildings away from the shoreline and outside of Chapter 91 jurisdiction (Section 8.4). The DEIR correctly states that the project is no longer subject to the mitigation requirements for non-water dependent use buildings within Chapter 91 jurisdiction.

Open Space and Public Realm

Since the filing of the ENF, the proposed floor area of the project has been reduced by 35% to 240,800 square feet, the pedestrian bridge to Tenean Beach has been eliminated along with the kayak launch, and the active pedestrian space has been replaced by a less programmed design (while maintaining over 50% of site as publicly accessible open space).

We commend the project proponent for responding to community input during the public review process on the ENF. The new design will eliminate the hotel uses, reducing the number of residential units from 170 units to 96 units, and reducing the restaurant/retail space from 6,500 square feet to 3,000 square feet.

In addition to the publicly accessible Harborwalk and pier, Boston Harbor Now is encouraged by the reconfiguration of open green space and seating areas available to the public, as well as resilient landscaping along the water's edge, which improves public interaction with the waterfront. Portions of the hard shoreline along Pine Neck Creek will be removed and replaced with native salt tolerant plants, with an accessible the Harborwalk path meandering alongside the improved shoreline.

Despite these improvements, the removal of the pedestrian bridge to Tenean Beach does little to improve the connectivity of the continuous waterfront Harborwalk that Boston residents and visitors have come to embrace. Boston Harbor Now is strongly in favor of including the pedestrian bridge in future filings in order to improve public access to the waterfront. The proponent should consider collaborating with the abutting Venezia Restaurant to continue the pedestrian path along the wharf and the eastern shoreline.

Transportation

As suggested in ENF Comment Letters, the proponent conducted traffic analyses around key Port Norfolk intersections, and determined that proposed project reductions since the ENF proposal, should result in reductions in traffic generation by 40% in the morning peak hour, and over 50% in the evening peak hour. Further, the proponent will implement a Transportation Demand Management Plan (described in Section 5.5 of the DEIR) to discourage single-occupancy vehicle (SOV) trips and encourage alternative modes of transportation. The overall community impact from the increase in vehicle traffic is still unclear. The transportation assessment yields a conservative estimate of an increase of 60 auto trips during peak hours, equivalent to 1 trip every minute (Section 5.1). Due to the unknown long-term impacts of increased vehicle traffic, we suggest the proponent engage in traffic mitigation projects post-development.

Climate Resilient Design

In response to ENF comment letters, the proponent completed Page 7 of the BPDA's Climate Change Resiliency and Preparedness Checklist to include measures for specific flooding events. The proposed buildings are within FEMA designated flood zones VE and AE. The site design takes future conditions of extreme events into account through elevated paths, roads, and entrances to the residential buildings raised to an elevation of 21-feet (above a 40-inch sea-level rise scenario; only flooding during extreme events).

Green infrastructure will be implemented to reduce the impact of extreme storm events on the shoreline and reduce stormwater runoff. This includes installing and repairing existing riprap slopes to mitigate tidal surges and raising topography along the water's edge (Section 3.3). Currently, the site is largely impervious. The updated design in the DEIR further reduces impervious land area from 2.8 to 2.1 acres. Overall, this replaces roughly two acres of impervious land with landscaped and pervious outdoor space. The proposed green infrastructure includes the installation of bioswales and stormwater planters, planting of salt tolerant plants, regeneration of the salt marsh along the western boundary, green roofs, and permeable pavements.

Community Engagement

We commend the proponent for their continued efforts to engage with the Port Norfolk Community. Since the ENF, City Point Capital sought out additional resources for engagement including contracting with coUrbanize to host an online platform for community feedback (courb.co/Neponset). When we last reviewed the website, there were 179 comments on the project, many of which expressed concerns from the community about traffic generation and the height of the buildings on the project site. We encouraged the proponent to engage in alternative ways to work with the Port Norfolk community and implement their suggestions moving forward.

Thank you for your consideration of our comments.

Sincerely,



Jill Valdes Horwood
Director of Policy