



Are you on board?

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March 28, 2017

Via email to: Anne.Canaday@state.ma.us

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Ste 900 (9th Floor)
Boston, MA 02114

Attn: Anne Canaday, MEPA

Re: Wynn Boston Harbor Notice of Project Change, EOEEA #15060

Dear Secretary Beaton,

On behalf of Boston Harbor Now, thank you for the opportunity to comment on the Notice of Project Change for Wynn Boston Harbor. Boston Harbor Now has commented extensively on the original project, Expanded Environmental Notification Form, Supplemental FEIR, and Second Supplemental FEIR.

Background & Proposed Changes

The purpose of the MEPA process is to provide meaningful opportunities for public review of a project's potential environmental impacts. Through its analysis, MEPA requires project developers to use the necessary means to avoid damage to the environment or, if the damage cannot be avoided, to minimize and mitigate.

Secretary Beaton identified the need for sediment remediation work in the August 28, 2015, Second Supplemental Final Environmental Impact Report Certificate. As stated on Page 22 of the Certificate, "the proponent is responsible for dredging to remove contaminated sediments from the harbor bottom." At the time, the developer acknowledged that the sediment testing and analysis was insufficient to determine the extent of dredge and cap needed and additional MEPA filings and permits would be required in the future. The proposed remediation plan is the proponent's response to soil testing conducted after the SSFEIR Certificate.

Before the proposed sediment remediation plan is approved and work begins, we anticipate several environmental licenses and reviews will be completed, including a Federal Consistency Review with CZM, Chapter 91 permit, and Order of Conditions from the Boston Conservation Commission.

As presented in the NPC, on-site testing revealed concentrations of certain metals over approximately seven acres. The remediation proposal includes:

- A debris survey of the remediation area with removal of old piles and miscellaneous debris,
- Removal of four sunken barges,
- Dredging of contaminated sediment, and
- Additional navigational dredging activities.

We hope the sediment remediation project is successful. The current filing lacks the necessary detail to adequately evaluate the extent of the remediation, the proposed final conditions, and a plan for monitoring the sediments before, during, and after. While we are glad to see information from the Division of Marine Fisheries (DMF), we would also like to see other stakeholders such as the Mystic River Watershed Association (MyRWA) be involved throughout the remediation decision-making process.

We understand there may be temporary construction-related impacts to adjacent salt marsh habitat. In the event there are adverse impacts to the existing salt marsh, the proponent plans to plant *Spartina spp.* within the general location of the salt marsh habitat. To ensure a successful remediation and minimal damage to the salt marsh, the proponent should work closely with CZM, DMF, MassDEP and related agencies to ensure the final remediation plan for this site is appropriate, detailed and implemented. Long-term monitoring should be required as an essential part of the remediation plan.

Although page 3-2 of the NPC includes depth information for the channel, it does not address hydraulic conditions at the site (e.g., current waves, storm surges, flood flow rates, vessel movement and prop wash) that could significantly influence the stability of the cap. As a result, the likelihood of successfully dredging and capping the contaminated sediment without resuspension and transport of toxic sediments is unknown. We ask that more work be done, including analysis of hydraulic conditions and monitoring of the cap stability during and after the project construction. Copies of monitoring results should be provided to interested stakeholders.

Change in Program

The primary purpose of the NPC is to address the sediment remediation project. The filing also includes the following minor changes and updates:

- Reduction of retail space to the project program,
- Modification to living shoreline planting elevation,
- Updates to the docking system,
- Addition of below-grade level to the garage,
- Identification of wetland resource areas along the DCR Harborwalk, and
- Transportation improvements.

With the exception of the sediment remediation proposal, the remaining changes to the project are minor and will require amendments but no new permits or licenses.

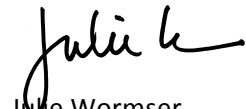
We support the additional square footage proposed for food/beverage areas, event/meeting space, spa, and front-of-house facilities and see these as providing benefits to the general public.

Pedestrian/Bicycle Bridge Crossing

Boston Harbor Now strongly supports the creation of additional waterfront pathways along this section of the Mystic River. We commend Wynn Boston Harbor for agreeing to provide \$250,000 to the Department of Conservation and Recreation for planning and engineering services for a proposed pedestrian/bicycle bridge over the Mystic River. The bridge is a critical link that will tie into the recently proposed Charlestown Bus Facility multi-use pathway and eventually connect this path to bike routes through Everett to Revere, Somerville and Medford.

Our understanding is that funding is limited to the planning and design of the bridge. For the bridge to be a true public benefit, we encourage the proponent to work with MassDEP and CZM to complete the funding required to construct and complete the bridge.

Sincerely,



Julie Wormser
VP of Policy and Planning



Jill Valdes Horwood
Director of Waterfront Policy