



Are you on board?

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March 10, 2017

Via email to: Ivan.Morales@state.ma.us

Ben Lynch
MassDEP Waterways Regulation Program
One Winter Street, 5th Floor
Boston, MA 02108

Attn: Ivan Morales, MassDEP

Re: 102-126 Border Street Waterways License Application Number W16-4718

Dear Mr. Lynch,

Thank you for the opportunity to comment on the Waterways License Application for the Boston East Project. Boston Harbor Now is familiar with the site and has submitted a number of comments, most recently in response to the Notice of Project Change on January 10, 2017. On August 10, 2016, we took part in an interagency site visit organized and led by the proponent and its consulting team. During the site visit, we witnessed first-hand the severe deterioration of the site, increasingly hazardous conditions, and susceptibility to coastal flooding.

As presented in the Waterways License Application, the license request is for the redevelopment of the Designated Port Area (DPA) site at 102 Border Street along the East Boston waterfront. The proposed project is approximately 7.08 acres and will be used exclusively for marine industrial use. As presented, the project would create site conditions better suited to accommodate future marine industrial uses and include:

- Cleanup of broken piles, piers, pavements, and debris in the watershed and uplands
- Stabilization of existing failing seawalls

- Securing the shoreline with a 520 foot long stone riprap
- Regrading of the upland site for DPA use
- Addition of 11,226 SF of fill to increase the overall site elevation and
- Construction of a 400-foot by 12-feet wide Harborwalk

It is our understanding that the proponent is currently working to secure a boat storage and repair facility as a potential tenant. Although the operator has not been specified, we strongly support this maritime use for the DPA site.

Pedestrian Bridge Alternative

The previously filed Notice of Project change included three potential build scenarios to improve the functionality of the project site:

- A Pedestrian Bridge
- The original 2014 FEIR Proposal and
- A no-build alternative

Section 3 of the current Waterways License Application indicates that pedestrian bridge is the preferred alternative for this segment of the Harborwalk.

As presented, a timber pile-supported pedestrian bridge will be constructed over the former marine railways and serve as the Harborwalk connection between the Boston East DPA site and the Residential Site. Because the approximately 73-foot bridge connection would be constructed over the marine railway and salt marsh it will increase the usable space on the uplands by 1,950 SF.

We appreciate the proponent's efforts to extend the existing Harborwalk through the DPA site, though recognize why DPAs do not legally require this access. Water-dependent industrial uses have the potential to create real public safety hazards for pedestrians on the Harborwalk. There needs to be a careful balance between creating a continuous Harborwalk through a marine industrial site and maintaining an appropriate level of public safety.

Until we have a basic set of rules for creating public access through a DPA, we hesitate to recommend committing to a permanent, all-access pedestrian bridge on the project site. Instead, the bridge could function as a temporary point of access with a more permanent Harborwalk extension constructed in the future when a tenant has been secured. The Final DPA management plan needs to ensure that public safety hazards are minimized to the extent possible. We look forward to reviewing a Draft Management Plan for the DPA site once a permanent water-dependent industrial tenant is secured.

In the meantime, the project proponent should consider including, where appropriate, a public maritime interpretive area, interpretive landscape and exhibits, benches, lighting, trash receptacles, and other public amenities. This section of the Harborwalk will serve as an important focal point for Boston Harbor and highlight East Boston's maritime history and culture. We ask that the Chapter 91 License for this project make the completion of this segment a priority during the construction period.

Similar to previous waterfront development projects along Boston Harbor, access to interim Harborwalk segments should be available to the general public during construction of Harborwalk segments. As is standard for all waterfront projects, portions of the Harborwalk may be closed for short times if there are safety issues during a brief construction period with temporary public access clearly marked.

Fill and Structures

As presented in the License Application and compared to previously revised site plans, the current version of the project will reduce the amount of fill on site to maximize the possibility for future water-dependent industrial uses. In exchange for this and to accommodate public access, a section of the Harborwalk will be located above the high water mark but within the footprint of existing pile-supported structures.

We feel strongly that the conditions for this Waterways License application are unique to this site, and should not constitute in any way a precedent along Boston Harbor or other waterfront areas in the Commonwealth.

Marine Railway

The Chapter 91 license #13905 issued January 13, 2016, included the removal of the marine railway remnants on the site. In a previous comment letter, we hoped that the marine railways would be maintained on site to provide a sense of history for Harborwalk users. We are glad to see the consultations between the Massachusetts Historical Commission, the Board of Underwater Archaeological Resources and the proponent have resulted in keeping approximately 1,400 LF of the marine railway. We would like to offer our assistance in working with the project proponents to develop and install 3-5 interpretive signs along this section of the Harborwalk that speak to our maritime industrial history.

Sincerely,



Julie Wormser
VP Policy and Planning



Jill Valdes Horwood
Director of Waterfront Policy