



Are you on board?

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April 11, 2019

Via email: frank.taormina@state.ma.us

Frank Taormina
Waterways Regulation Program
Department of Environmental Protection
One Winter Street, 6th Floor
Boston, MA 02108

Re: 10 Fan Pier Boulevard (Parcel E) Waterways Application

Dear Mr. Taormina,

Thank you for the opportunity to comment on the Chapter 91 License Application for 10 Fan Pier Boulevard submitted by Ten Fan Pier Boulevard LLC on February 7, 2019. Boston Harbor Now, and our predecessor organization The Boston Harbor Association, closely followed the development of Fan Pier and provided comments on the original Consolidated Written Determination (CWD) issued in November of 2002.

Project Description

As presented in the license application, the Parcel E proposal includes the construction of a 17-story office + two-story penthouse building, retail, restaurant, and underground parking on the site.

With the exception of an upper floor accessory area and garage accessory uses, 87% of the ground floor of Parcel E is entirely designated for Facilities of Public Accommodation, a total of 18,290 SF.

When complete, Parcel E will be the seventh building licensed under the 2002 CWD and constructed by the Fallon Company.

Public Realm

As advocates for increased public access and activation at the water's edge, Boston Harbor Now commends Fan Pier for their contribution to the public realm along the Seaport waterfront. This section of the Harborwalk is a popular destination for waterfront users because it provides a variety of public uses, programming opportunities, and iconic views of Boston Harbor and the waterfront.

We are glad to see the proponents commitment to expanding public open space opportunities at Fan Pier. We like the proposed reconfiguration of the onsite open space shown on Sheet 2 of 11. We strongly support the design that links the project's open space to the abutting Public Green, Fan Pier Cove, Parcel H, and Harborwalk which will serve to significantly enhance the pedestrian experience. More details should be provided regarding the proposed paver treatment across Marina Park Drive, with special attention on surface treatment and signage that ensures priority is given to pedestrians traversing between this project and nearby public open spaces.

As part of the final Chapter 91 license, we encourage the proponent to provide a public amenities section that describes with more specificity the variety of amenities included as part of the project, specifically the proposed layout and uses of the Facilities of Public Accommodation on the ground floor and at the edges of Parcel E.

The final project plans should incorporate adequate signage at prominent locations and at all entryways that advise the public of its access rights, hours of operation, rules, and regulations. Other Fan Pier properties have consistently provided detailed property management plans as part of its Chapter 91 processes and we anticipate that this will continue on Parcel E. We look forward to reviewing the draft plan and would like to offer Boston Harbor Now as a helpful resource for activation and programming efforts along this prominent section of the waterfront.

Resiliency

Last October, the City of Boston released the *Coastal Resiliency Solutions for South Boston* report which projected that if emissions continue at the current rate, Boston's sea levels will probably rise (from 2013 levels) by 9 inches as soon as 2030, 21 inches by 2050, and 36 inches by 2070. According to the flood maps included in the report, Parcel E is squarely within the predicted 2030 flood pathways for South Boston. We know, from the flooding that occurred during winter storms Grayson and Riley (2018), that the flood pathways in the existing built environment are consistent with the proposed models.

As referenced above, the final CWD that included Parcel E was issued by MassDEP in 2002. In the nearly two decades since the determination, the City of Boston and the Commonwealth

have made significant progress in both understanding and planning for climate change and sea level rise.

Page 9 of the license application includes a list of resiliency strategies that will be incorporated into the proposed project. We commend the proponent for incorporating measures such as elevating electrical and incorporating a curtain wall along edges of the building.

The last two bullets on the resiliency strategy list refer to a 4-foot high Aquafence Flood Protection Barrier System around the perimeter as the main source of protection from coastal flooding and, in the event the Barrier System is not deployed, the use of sandbags to seal loading docks and entryways. With both the experience of the 2018 storms and our current scientific data projections about the impacts of climate change, a new building in such close proximity to the harbor should consider more permanent resiliency solutions to protect from coastal flooding. We would encourage the proponent to think beyond temporary solutions and ask that the final Chapter 91 license incorporate all on site resiliency strategies and across Fan Pier.

Boston will continue to experience frequent coastal flooding like the kind we saw during the 2018 winter season and it is imperative that individual buildings are not only better prepared to handle flood waters but are also working across parcels to establish a more resilient waterfront that is prepared for current and future impacts of coastal flooding.

Attachment A of the license application makes reference to FEMA flood maps and elevations for the project site. As presented in sheet 2 attachment B of the current license, part of the parcel sits within FEMA Flood Zone AE at elevation 17.5 BCB (11 NAVD88). Page 8 of the same license application goes on to state that elevation 11 NAVD is no longer the current condition on Parcel E but reflects the site conditions at the time the CWD was issued in 2002. This is problematic for two reasons:

1. The flood zone elevation map attached to the license application seems to suggest that the current elevation for Parcel E is 17.5 BCB / 11 NAVD, and
2. While the proponent states that the current elevation conditions have changed, there is no explanation provided for that change (i.e. was the site elevated as part of another Fan Pier project? If so, what is the new BCB/NAVD elevation?)

It has been 17 years since the final CWD was issued for Fan Pier. In a time where climate change conditions and sea level rise are changing at a rapid rate, it is critical that project proponents plan and propose developments using the most updated information and the latest flood maps.

Finally, the same section of the license application includes a list of climate resiliency measures that the proponent plans to incorporate into the final project. As presented on page 8 of the

license application, the ground floor base elevation “has been raised to 13 feet AMSL.” We understand AMSL refers to above mean sea level; however, we note that AMSL is not the standard that is typically referenced by project proponents during the permitting process. While there is no regulatory requirement to use NAVD or BCB as a standard reference, at minimum and for ease of reference, the proponent should commit to one standard unit of elevation measurement throughout the entire license application.

We have been supportive of Fan Pier climate resilient designs efforts in the past. Boston Harbor Now would welcome a conversation about additional on site and district-wide resiliency strategies that may be implemented as part of the Parcel E build out.

Thank you for the opportunity to comment.

Sincerely,

Jill Valdes Horwood
Director of Policy