



Are you on board?

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September 24, 2021

Via email: DEP.Waterways@mass.gov

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

Re: Preliminary Waterfront Development Plan – 88 Black Falcon Avenue

To Whom It May Concern,

On behalf of Boston Harbor Now, thank you for the opportunity to comment on the proposed Preliminary Waterfront Development Plan for 88 Black Falcon Avenue in South Boston. Boston Harbor Now has followed this project closely and a member of our team participated in the public hearing on September 8, 2021. We now respectfully submit these comments based on the public hearing and the information contained in the Waterfront Development Plan.

The project site is currently occupied by a three-story building owned in fee by Massport and subject to a long-term ground lease with the Davis Companies. It is bounded by the Reserved Channel to the south, Boston Harbor to the east, land of the Boston Economic Development and Industrial Corporation and Boston Harbor to the north, and a roadway owned by EDIC to the west. Because of Boston Harbor Now's historic support for maritime industry and the working port, we are particularly interested in this project and its impact on the future of the port. We also see this as an opportunity to introduce cruise-ship visitors to the city and the Harborwalk, sparking their interest in exploring more of this treasure along Boston's shoreline.

Project Plan

The project involves the construction of a vertical addition of four new floors and approximately 327,600 sf of gross floor area directly atop the existing building. It will also include the demolition of the existing parking ramp and its reconstruction adjacent to the existing building, and additional decking for parking to accommodate 174 new parking spaces on the north side of the building. Following completion, the Project Site is proposed to accommodate up to 729 parking spaces.

The project also includes improvements to the public realm, including the reconstruction of the intersection of Drydock Avenue, Black Falcon Avenue, and the site to create a safer and more efficient four-way intersection for vehicular users, MBTA buses, and people traveling by bike and on foot (including cruise ship passengers).

Open Space/Public Access

The site currently has a five-foot wide pedestrian path, delineated by painted pavement, along its south side which is available as a part of Boston's Harborwalk system. The existing walkway leads to a public viewing area at the southeast corner of the building where the public may fish and view the harbor. The plan proposes to improve this portion of the Harborwalk, but due to operational requirements of the cruise ships when they are in port, it will not be expanded. Instead, the proponent is creating a new publicly-accessible promenade on the second floor of the north side of the building. This walkway would lead to an elevated viewing area overlooking the harbor. We believe that this could be a wonderful addition to the open space on site, provided that it is appropriately signed and the public understands that they are welcome to use it in the same way that any section of Harborwalk would be accessed. Further, though the section of Harborwalk on the south side will not be increased in size, we encourage the proponent to offer opportunities for public art on the side of their building which will introduce the larger Harborwalk to visitors from around the world who are getting their first introduction to Boston at this location. With some additional design work as well as some interior space devoted to advertising the Harborwalk, this first impression could incentivize visitors to explore the rest of this waterfront treasure. We will continue to work with the proponent, the Massachusetts Department of Environmental Protection, and Massport through the Waterfront Development Plan process to improve the Harborwalk and its associated amenities on site.

The proponent has also committed \$500,000 toward initial feasibility studies, design and related engineering to support the potential creation of water transportation services near Pier Ten Park in the Raymond L. Flynn Marine Park. As long-time advocates of improved water transportation, we support and appreciate this use of funds. Given that this project will result in a significant addition of floor area, and therefore increased traffic in the area, we are concerned that this amount is not adequate. There are other areas where investment might be appropriate, in addition to the water transportation study, such as improved transportation in the Seaport, ongoing payments for water transportation, or contributions to district-level resilience. Though this project is not technically a part of the Raymond L. Flynn Marine Park, and is not being developed on BPDA land, a contribution to the Climate Resiliency Fund for this area would be appropriate. Finally, the addition of lab space in this primarily industrial area has the potential to create conflicts with the quick and efficient access to dedicated truck routes servicing the working port. More support for transportation initiatives in the area would help to mitigate this impact.

Support for Water-Dependent Uses

The site is within the South Boston Designated Port Area, and, as such, water-dependent industrial uses are encouraged. The Preliminary Waterfront Development Plan describes the project's support for water-dependent uses as an increase in the size of the Ground Transportation Area 2, and subsidized rents for Marine Uses on the ground floor. Subsidizing the water-dependent industrial uses on the ground floor of the building is an important way to promote the continued viability of the marine industry, and one which we support. We would

therefore ask that this commitment to below-market rents for water-dependent uses be memorialized in a license that will last for the duration of the project's life and not expire when the current leases end. This subsidy should also be substantial enough to allow marine uses to comfortably locate in this facility. Additionally, if and when a current nonwater-dependent user vacates the ground floor, this vacant space should be marketed to attract a water-dependent use to take its place. There is limited waterfront space available for water-dependent uses currently, and all efforts must be made at this site to take advantage of its location. This unique waterfront site with deep water berthing provides unique opportunities for a small set of businesses that play a vital role in the present and future of our harbor and the regional economy but who may not be able to compete with other uses on the open market. Every effort should be made to avoid creating conflicts with the use of this unique resource by water dependent users.

Climate Preparedness/Resilience

As described in previous filings, the majority of the project site is located in a flood zone identified as Zone AE and the seaward portion of the pier aprons are located in Zone VE. We are encouraged that the existing building first floor elevation of 22.8 feet BCB is above the FEMA Base Flood Elevation and also the target elevation from the Coastal Resilience Solutions report for South Boston (21.98 BCB). We would note, however, that it is still below the longer term modular elevation of 23.48 BCB.

Work is also being done by Massport and the BPDA to develop district scale resilience solutions for nearby parcels. Mitigation funding or a commitment to participate in the design process would ensure that the site is not cut off from the mainland in the event of future flood events since the surrounding roadways and other properties are not all at the same elevation.

Thank you for your consideration of these comments. We plan to remain involved throughout this development and permitting process to ensure that the project's waterfront meets the needs of the general public and of water dependent uses.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Toffler', written in a cursive style.

Aaron Toffler
Director of Policy
Boston Harbor Now