November 6, 2026

Secretary Rebecca Tepper
Executive Office of Energy and Environmental Affairs
% Kate Harson, MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Via electronic mail: Kate.Harson@mass.gov

RE: EEA No 17040 - 111 Eastern Avenue Garage Final Environmental Impact Report

Dear Secretary Tepper,

We appreciate the opportunity to comment on 111 Eastern Ave. Garage Final Environmental Impact Report (FEIR) submitted by Fort Point Associates on behalf of the Proponent, UGP-PreFlight Boston, LLC, an affiliate of InterPark Holdings, LLC.

We acknowledge and value the improvements to the proposed project since the Draft Environmental Impact Report related to extreme heat resilience, waterfront public access, and engagement of impacted environmental justice populations. Specifically, the Proponent has proposed an increase of onsite tree planting from 75 to 93 new trees; committed to using higher albedo materials on the roof level of the garage to reduce heat island effects; and improved grading and moved obstructions to pedestrian traffic along the perimeter buffer areas so as to reserve a continuous, level, 5-foot clear width route within the buffer areas to enable future lateral access to the waterfront. We also appreciate the additional outreach to community members through project meetings and site visits hosted with the City of Chelsea.

The undersigned organizations (Conservation Law Foundation, Mystic River Watershed Association, Save the Harbor/Save the Bay, GreenRoots, and Boston Harbor Now) are waterfront advocates who live, work, recreate, and/or program in and around the Boston Harbor-including the Chelsea Creek specifically. We valued the October 29, 2026 discussion about this FEIR between our organizations and representatives of Fort Point Associates and InterPark Holdings.

While we appreciate the progress made by the Proponent between the DEIR and the FEIR, the Proponent still falls short in providing adequate mitigation to offset the environmental impacts caused by the project during and after construction.

We offer the following comments and recommendations to address those impacts:

Environmental Justice and Cumulative Burden
Chelsea is a frontline Environmental Justice city in which every neighborhood is classified as an Environmental Justice population, as defined by the Massachusetts Executive Office of Energy and Environmental Affairs (EEA). The proposed project is also located within an EEA-designated Cumulative Burden Area scoring in the 99.8th percentile statewide, meaning there are only 9 neighborhoods with greater burdens and 5,099 with lesser burdens.

- **The Secretary's Section 61 Findings and Public Benefit Determination must ensure that the project's environmental impacts are fully mitigated to avoid exacerbating these existing extreme burdens.**

Community Meeting Comments
The FEIR indicates that two community meetings were held, on August 26, 2026 and September 29, 2026. However, the FEIR does not provide a summary of comments or concerns that residents raised during those meetings.

- **The Proponent should provide a supplemental filing that summarizes the general themes, goals, and any specific concerns that residents raised during these meetings and describes how the Proponent addressed them in the FEIR.**

Mitigation Payment
The Proponent has agreed to provide a $750,000 mitigation payment to the City of Chelsea upon receipt of a Certificate of Occupancy, but the mitigation funding is not dedicated to any specific environmental impacts. Without the linkage between mitigation and impacts, the Secretary cannot reasonably determine whether the project's impacts will be mitigated.

- **Mitigation funding should be appropriated for off-site tree planting, heat mitigation strategies, air pollution reduction efforts, coastal flood resilience, and/or waterfront access to the Chelsea Creek**.

Extreme Heat
Chelsea faces significant urban heat impacts with data demonstrating some areas of the city can be 40 degrees hotter than Greater Boston suburbs. As such, it is imperative that every new development in Chelsea, particularly those with significant impervious surfacing, maximize all available means to mitigate heat impacts.

Notwithstanding the increase in new trees proposed between the DEIR and FEIR, additional tree planting is still necessary to mitigate the project's heat island and air pollution impacts. At maturity (i.e., in 20-40 years), 93 medium-sized urban trees may produce 1.28 acres of tree canopy, or just 6.7% canopy cover across the 19.2 acres of the Project Site uplands. This is still far less than the existing city-wide average of 14% canopy cover, and Chelsea has the second lowest canopy cover in the metro Boston region.

- **A portion of the Proponent's mitigation funding should be allocated to planting and maintaining at least 100 additional trees off-site so that the site-equivalent of at least 14% canopy cover can be attained when they reach maturity in 20-40 years.**

Coastal Flooding

We reiterate our comment on the DEIR that the Proponent's conceptual alternative for the Southern Parcel is noncompliant with the City of Chelsea's Zoning Ordinance, Performance Standard, Sec. 34-110(p)[1]. Figures 8-3 and 8-7 from the DEIR clearly show inundation pathways in white arrows flowing through the Southern Parcel onto the public right-of-way. The City is actively pursuing both state and federal funding to develop long-term coastal flood protection infrastructure along Eastern Avenue and Marginal Street. Failure of the future redeveloper to mitigate the flood pathway through the Southern Parcel, in accordance with the City's ordinance, will push the costs of doing so onto the City, State, and Federal governments. The FEIR Scope in the Secretary's Certificate on the DEIR states: "The Proponent is directed to… identify one or more feasible modifications to site layout, grading, building configurations, or other flood-resiliency measure that could avoid or reduce the elevated flood depths and velocities identified in the DEIR." The Proponent's response does not identify any such modifications. Emergency operations identified in the FEIR do not avoid or reduce elevated velocities or comply with the ordinance.

- **The Proponent should comply with the FEIR Scope and identify a feasible, zoning-compliant alternative for the Southern Parcel that avoids or reduces the elevated flood velocities.**

Air Pollution

The Proponent concedes that the Project's biggest potential long-term impact to Environmental Justice populations in the area is increased vehicular traffic (36% increase in daily vehicles) and the resulting associated mobile source pollution emissions.

- **We continue to assert that the Proponent should be required to carry out a cumulative impact analysis to consider the burden of additional air emissions on already overburdened Environmental Justice populations in Chelsea, East Boston, and Revere.**

Waterfront Access

In its comments on the DEIR, MassDEP Waterways explicitly directed the Proponent "to identify opportunities for additional point and/or lateral pedestrian access along the shoreline in order to address the requirements at 310 CMR 9.35 and 9.52." Had public access been inappropriate, MassDEP Waterways, the agency body responsible for Chapter 91 and DPA compliance, would not have issued this directive. Rather than addressing MassDEP's directive, the Proponent did not identify additional public access opportunities in their FEIR, and appeared to question whether they would be "deemed appropriate with respect to land use and site layout restrictions created under Chapter 91 requirements associated with DPAs" despite clear guidance from MassDEP.

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1 https://library.municode.com/ma/chelsea/codes/code_of_ordinances?nodeId=PTIICOOR_CH34ZO_ARTVGESURE_S34-110PEST

Chelsea already lacks sufficient access to its own waterfront, and previous developers have promised to improve access in the "future" before. As previously stated, the Proponent has made improvements to the site plan to provide for "future access" to the Chelsea Creek; however, this "future" timeline is undefined and this project presents a key opportunity to provide access to neighborhoods that have already waited over 30 years for such improvements. Point access along the southern parcel and adjacent to the Chelsea Street Bridge was promised to the community in the late 1990s and was only recently developed, likely to make this project more palatable. Despite the Public Waterfront Act's (Chapter 91) requirement for public benefits and access to the waterfront, Boston's waterfront has remained largely inaccessible to Environmental Justice populations." (Boston Waterfront Partners' Equity Rubric for Waterfront Development, 2024). Chelsea and East Boston's environmental justice populations have provided innumerable regional benefits while shouldering the health, environmental, and quality of life burdens for decades. The proposed project has the ability to provide environmental and public access benefits; and it should be required to do so.

The Proponent should be required to construct public, lateral access to the Chelsea Creek as a requirement of their Chapter 91 license in order to adequately protect "the utility and adaptability of the site for water-dependent purposes" 310 CMR 9.51(2). Parking facilities, such as the one proposed by the Proponent, are explicitly named as a nonwater-dependent use under the Chapter 91 regulations (310 CMR 9.12(2)(f)(3)). The regulations provide that a nonwater-dependent use project including structures on any tidelands "shall devote a reasonable portion of such lands to water-dependent use, including public access (310 CMR 9.52). Additionally, when a project site includes a water-dependent use zone, the project shall include a facility to generate water-dependent activity and/or a pedestrian access network which, at a minimum, runs adjacent to and along the entire length of the project shoreline, is a minimum ten feet in width, and appropriately connects to public ways (310 CMR 9.52). These regulations are applicable to all tidelands, including those within DPAs, and must be complied with.

A pedestrian pathway is not categorically restricted by the Chapter 91 regulations restricting fill or structures for temporary use within DPAs. The regulations define a "structure" as "any man-made object which is intended to remain in place in, on, over, or under tidelands" (310 CMR 9.02). While the regulations name objects such as buildings, roads, and parking lots as examples of "structures," these are more substantive and more permanent than a pedestrian pathway made of packed gravel, wood, or even concrete. The Proponent—and MassDEP for that matter—have no reservations about consuming the majority of the Site with a parking garage and vehicular driveway, so we must question why the Proponent is so resistant to a small pedestrian pathway that could easily be removed if a water-dependent industrial tenant is found.

This project has the ability to link current and future waterfront access along the Chelsea Creek, where investments have been and will continue to be made, such as 295 Eastern Avenue, the future Lewis Latimer Overlook, 257 Marginal Street, PORT Park, and the Forbes Site. In addition, developing meaningful waterfront access will respond to the City of Chelsea's Municipal Harbor Plan and DPA Master Plan.[2] Public waterfront access features could easily be

[2] City of Chelsea, MA (April 2022) *Chelsea Creek Municipal Harbor Plan and Designated Port Area Master Plan.*

removed or adapted if a suitable marine industrial tenant is identified and if deemed appropriate by MassDEP Waterways. Should the Proponent be allowed to develop without creating perimeter access to the Chelsea Creek, as requested by GreenRoots and partners, the state will be setting precedent that flies in the face of the Environmental Justice legislation enacted in 2021.

- **The proposed 10 foot wide vegetated strip along the waterfront should be replaced with a 12 foot wide paved public walkway with vegetated borders along the entire project waterfront.**
- **To provide accessible access and egress for waterfront walkway users and emergency responders, at least four sections of guardrail proposed along the waterfront should be removed, and, if needed for safety, replaced with bollards spaced wide enough for ADA accessibility. At each such location, an accessible ramp from the parking lot grade to the waterfront walkway should be provided.** One should be at each end of the waterfront walkway, and the other two should be roughly evenly spaced between each end.
- **To provide a safe, comfortable, well-lit environment for waterfront walkway users, additional lighting should be provided for areas of the waterfront walkway that are insufficiently served by the lighting proposed in the FEIR Layout and Materials Plan.** In our comments on the DEIR, we requested a Lighting Plan to be included in the FEIR, and one appears to have been developed based on notes in the FEIR plans. However, the Lighting Plan is not included in the FEIR. In particular, the southeast corner of the Project Site looks to be underserved. The FEIR should include a separate Lighting Plan showing updated light pole locations and the areas served to demonstrate that the waterfront walkway is sufficiently lit.
- **The project Proponent should revisit the permitted project at 295 Eastern Avenue, currently in final stages of construction, as an example of what public access can and should look like and how meaningful community engagement of Environmental Justice communities translates into a project that is mutually beneficial.**

Designated Port Area Implications

Designated Port Areas (DPAs) in Boston's Inner Harbor deeply impact many of the communities we work in and support. DPAs are intended to provide critical support for Massachusetts' maritime economy and cultural history. At the same time, Inner Harbor DPAs struggle with disinvestment, competing market pressures, climate risks, split jurisdiction and governance, a legacy of polluting industries, and limited coastal access that have burdened the Environmental Justice communities surrounding DPAs.[3]

The 111 Eastern Ave Garage project illustrates how some of Boston's Inner Harbor DPAs do not function as intended for water-dependent industrial use, sometimes over several decades. Under

https://cms5.revize.com/revize/chelseama/Document_Center/Departments/Housing%20&%20Community%20Development/Sustainable%20Economic%20Development/chelsea_creek_mhp_and_dpa_master_plan_-_summer_2022_-_final.pdf

[3] HR&A Advisor, Inc. & Interboro Partners for Boston Waterfront Partners (2025) *Strengthening the Urban Harbor: Policy & Investment Recommendations for Boston's Working Ports*. https://barrfdn.issuelab.org/resource/strengthening-the-urban-harbor-policy-investment-recommendations-for-boston-s-working-ports.html

this project, the two parcels will continue to host no water-dependent industrial use (WDIU). Temporary uses in DPAs may only be licensed for 10 years at a time to ensure that the property's use does not interfere with the state's maritime industrial planning priorities but rather advances the regulatory purposes of DPAs (*See* 310 CMR 9.02; 310 CMR 9.15(1)(d)(1); 301 CMR 25.06(1)). As the Proponent noted in its DEIR, these sites have not hosted WDIU since the 1990s or earlier (DEIR Sections 6.3, 6.7, 6.8.6).

While we appreciate the efforts that the Proponent has put into finding a water-dependent industrial tenant for the Site, we would be remiss to ignore that continued management of DPAs in this fashion compromises the system designed to protect water-dependent industrial use for the region (*See* 301 CMR 25.01(2)). It also prevents projects that might provide more benefits for their neighboring communities - through local jobs, climate resilience investments, municipal tax support, equitable public access, and more. The Commonwealth must lead a process to revitalize DPA regulations to reflect the modern maritime industrial character of Massachusetts. Our organizations are ready and committed to participate in such a process. The environmental bond bill pending in legislative conference committee includes creation of a port commission for that purpose. We look forward to working with that commission in the near future.

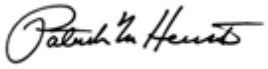
In conclusion, we appreciate the significant improvement the Proponent made to the project outlined in the FEIR. We applaud the Proponent for collaborating with the City of Chelsea to host community meetings and site visits to allow for greater community engagement particularly of Environmental Justice populations. However, we strongly believe additional modifications are required in order to fully mitigate the project's environmental impacts.

We are grateful for the opportunity to comment on this FEIR and look forward to seeing the State implement the Environmental Justice and climate resilience tools it has been enabled with to move this project to one that demonstrates far fewer burdens on the Chelsea and East Boston communities and Chelsea Creek waterfront. We look forward to participating in the upcoming Chapter 91 regulatory process.

Sincerely,



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