

**DECISION ON THE CITY OF BOSTON'S
REQUEST FOR APPROVAL
OF THE
SOUTH BOSTON WATERFRONT MUNICIPAL HARBOR PLAN
RENEWAL AND AMENDMENT
PURSUANT TO 301 CMR 23.00**

December 21, 2016

**Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Matthew A. Beaton, Secretary**

I. INTRODUCTION

Today, as Secretary of the Massachusetts Executive Office of Energy and Environmental Affairs (EEA), I am approving, subject to the conditions noted below, the City of Boston's ("City") South Boston Waterfront Municipal Harbor Plan Renewal and Amendment ("Plan") dated June 2016. This Decision presents a synopsis of the content of the Plan including supplemental information submitted on November 14, 2016 and findings on how it complies with the standards for approval set forth in the Municipal Harbor Planning regulations at 301 CMR 23.00. For purposes of this Decision, the geographic scope of the Plan is the planning area as originally proposed in the 2000 South Boston Municipal Harbor Plan. The proposed revisions to the Plan through the amendment are focused on an area within the South Boston Municipal Harbor Plan planning area located at 146 to 150 Seaport Boulevard.

Pursuant to the review procedures at 301 CMR 23.00, the Plan was submitted by the City on June 15, 2016. Following a review for completeness, the Office of Coastal Zone Management (CZM) published a notice of public hearing and 30-day opportunity to comment in the *Environmental Monitor* dated June 22, 2016. Oral testimony was accepted during a public hearing held at Boston City Hall on July 19, 2016. Twenty-one individual comment letters and 2,194 form letters were received within the public comment period. The consultation period which included three extensions, ended on December 9, 2016. The review and consultation process led by EEA and CZM, included consultation between staff of CZM, the Waterways Regulation Program of the Department of Environmental Protection (DEP), and the Boston Planning and Development Agency (BPDA). During the consultation period, a determination regarding the delineation and location of the project shoreline was affirmed by DEP. Supplemental information was submitted by the City on November 14, 2016 that described the project shoreline determination, revised calculations, and modifications to the substitutions and offsets. During a subsequent public comment period, I received five comment letters relating to the revised Plan.

During the public comment periods, I received comments primarily related to the proposed amendments in the Plan for a redevelopment project located at 146 to 150 Seaport Boulevard known as "150 Seaport Boulevard". Comments in support outlined the benefits of the project such as improved public access along the waterfront and the development of an underutilized site. Comments also strongly supported the efforts of the developer to support low income housing in South Boston. Although I agree with this sentiment and support these important efforts, the provision of affordable housing offsite is outside both the jurisdiction of Chapter 91 Waterways

regulations and the Municipal Harbor Plan (MHP) review and approval process. Comments questioning the proposed project were fewer in numbers, but far ranging in topics—from regulatory concerns to building design concerns. Some comments expressed concern with the adequacy of the Plan and its consistency with the state’s tidelands policy for development within Chapter 91 jurisdiction. Comments also expressed concern with the extent to which the project incorporated climate resilient design practices and techniques. While MHPs can include certain types of site-specific design guidelines for proposed developments, state review of MHPs is limited to the formal evaluation and approval of substitutions and amplifications to specific standards of the Chapter 91 Waterways Regulations. As such, review and approval of MHPs is not intended to consider all building and design elements that would be more applicable to review under municipal code and other jurisdictions. Comments regarding the proposed Chapter 91 substitutions and offsets proposed for the 150 Seaport Boulevard Project in the Plan and supplemental information filing were carefully considered in the review and analysis of the Plan and discussion of these comments is contained in the analysis section of this Decision.

II. PLAN CONTENT

Plan Renewal

The planning area encompassed by the Plan renewal is the same as the original South Boston Waterfront District Municipal Harbor Plan (MHP) in 2000. It includes approximately 108 acres of South Boston extending along the eastern side of the Fort Point Channel from the property owned by the Gillette Company to the Moakley Court House and then along the Boston Inner Harbor shoreline including Fan Pier and Pier 4 to the midpoint of the waterway between Pier 4 and Commonwealth Pier (Figure 1). The area is almost entirely within Chapter 91 jurisdiction and primarily consists of Commonwealth tidelands. Generally, the planning area follows the area of Chapter 91 jurisdiction bounded by the Fort Point Channel to the west, Boston Inner Harbor to the north, Commonwealth Pier and A Street to the east and West 4th Street to the south. The planning area does not include any Designated Port Areas (DPA); however, the South Boston DPA lies just to the east of the planning area and includes the adjacent Commonwealth Pier. The South Boston planning area is a mix of commercial uses, residential, office space and vacant land or buildings slated for development. The area has changed significantly since the initial filing of the South Boston MHP in 2000 with new residential, office, retail and other business development.

The renewal of the Plan builds upon the vision and general goals of the South Boston Waterfront Municipal Harbor Plan (2000) and its first amendment in 2009 by incorporating updated and new planning layers and describing how the additional information promotes and supports water related public interests and neighborhood planning goals. Information incorporated within the 2016 Plan adds depth and details to the City's vision for the planning area relating to transportation, open space goals, climate change projections and adaptation opportunities, civic/cultural space demands, and other planning objectives for the area. Specifically, the City has incorporated information from the following planning initiatives: the South Boston Waterfront Transportation Plan (2015), the Inner Harbor Passenger Water Transportation Plan (2000), City of Boston Open Space Plan (2015), Northern Avenue Bridge Project (2016), Imagine Boston 2030, Boston Creates, Go Boston, Climate Ready Boston, Housing a Changing City, as well as others. The incorporation of new data, public involvement, and prioritization into the Plan through its renewal allows it to serve as an updated and highly relevant planning tool that will be critical to the City as the South Boston Waterfront District continues to be developed.

Figure 1. City of Boston South Boston Waterfront District Municipal Harbor Planning Area



The South Boston Waterfront Transportation Plan (2015) assessed current and future traffic in and around the planning area with the understanding that traffic congestion has increased greatly with the development of the South Boston area. The South Boston Waterfront Transportation Plan puts forth a strategic plan for more long-term transportation needs and an action plan for improvements which will be implemented in the short term. Because walking is the mode segment expected to show the largest increase, many of the recommendations of the report prioritize improving the pedestrian network and connecting the public to the waterfront. The South Boston Waterfront Transportation Plan along with the City of Boston’s Inner Harbor Passenger Water Transportation Plan suggest improvements to water and public transit with expanded ferry terminals and service, improvements to connectivity to and along the Harborwalk, enhanced view corridors, increased bicycle routes, and enhanced wayfinding for all transportation modes.

Work to better understand ways to enhance the public realm in the planning area focused on improving and strengthening access to open space as well as increasing the availability of programmable interior spaces. A study of cultural, civic, and non-profit facilities of public accommodation commissioned by the City (2005) assessed the amount of available public space available and anticipated in the future for the Fort Point Channel and South Boston.

Recommendations for South Boston include supporting the availability of facilities of public accommodation (FPAs) such as restaurants, museums, retail, visitor centers, and temporary exhibits, markets, and public events like performances. The City of Boston's Open Space Plan (2015) assessed and reviewed the quantity and quality of open space resources to guide future public and private investments. Recommendations for South Boston included the completion of the Harborwalk network with connections to inland neighborhoods, support for ground floor uses that are compatible with the public's use of the Harborwalk, expand signage and landscaping to draw the public to the waterfront, encourage recreational use of the watersheet by providing amenities such as restrooms and wash stations, and support connections to the Boston Harbor Islands through the Harbor Islands Gateway and other means. Also, in 2016 the City commissioned an Ideas Competition to solicit suggestions for the multi-modal connection once provided by the Northern Avenue Bridge. With the structure closed to both vehicles and pedestrians, and planned for replacement, a new structure would replace a necessary transportation connection between Downtown Boston and South Boston while acting as a gateway between the two regions of the City. These studies provide a vision for an all-inclusive and well-connected public realm that will be cultivated through the renewal of the Plan.

In the last few years, the City has made important strides to better understand how climate change will affect the City by identifying the potential impacts of climate change, outlining mitigation goals, and incorporating adaptation opportunities into city planning. The City's 2014 Climate Action Plan Update focuses on setting goals and establishing a tracking framework for reducing greenhouse gas. The Metro Boston Climate Preparedness Commitment connects the area communities in an agreement to take coordinated action to address impacts to critical regional infrastructure. The Climate Preparedness and Resiliency checklist requires proponents to identify how proposed projects will be resilient. And this fall, the Climate Ready Boston (CRB) project released climate change projections for the Boston region relating to sea level rise, precipitation, coastal flooding, and temperature. The CRB implementation roadmap will guide the City as it incorporates these projections into all aspects of current and future City operations. City-wide visioning such as Boston Creates, Go Boston and Imagine Boston 2030 will employ the climate change lens while informing future development and growth while striving for a healthy, thriving, and innovative city. These climate change initiatives inform the Plan Renewal by guiding resilient development in the planning area.

The incorporation of these new data into the Plan through the renewal process provides strong support for alternative modes of transportation, green space connections (within the planning area and beyond), public realm connections along and to the waterfront, and resilient design techniques with the goal of improving the South Boston area for residents and business now and into the future.

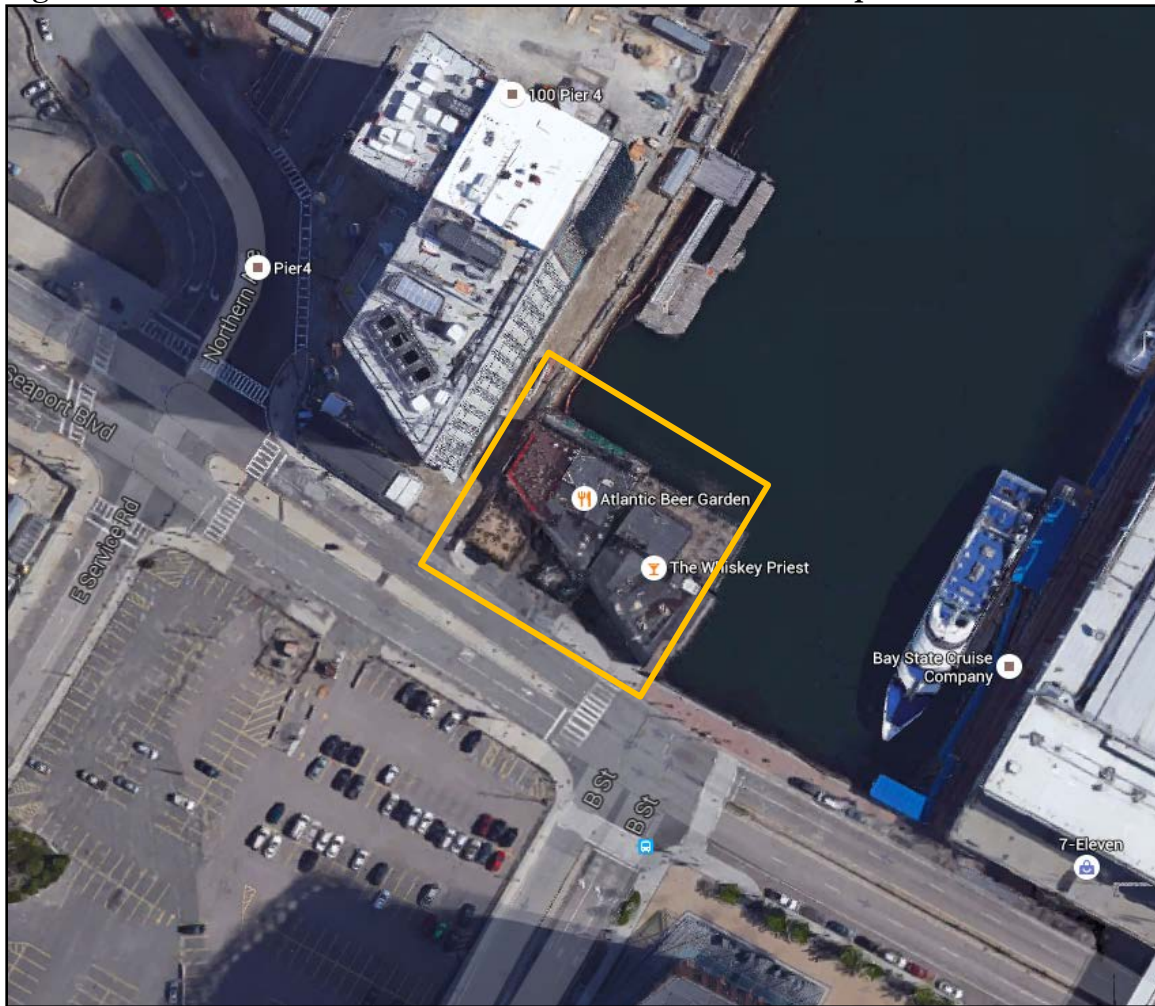
With this submittal, the City requests a renewal of the Plan for a period of ten years. This time period will allow for the City to realize many of its development goals for the South Boston Waterfront district under the guidelines, planning elements and specific regulatory provisions within the framework established by the Plan.

Plan Amendment

The scope of the Plan amendment is for a small section of the South Boston MHP planning area located at 146 to 150 Seaport Boulevard and known as the “150 Seaport Boulevard” project, located at the northeastern edge of the planning area along the Boston Inner Harbor (Figure 2). The area for the Plan amendment consists of approximately 25,000 square feet (sf) of filled and flowed Commonwealth tidelands and is located near Commonwealth Pier which is located within the South Boston DPA.

The 150 Seaport Boulevard site is located within a section of the South Boston planning area that is currently being redeveloped but also includes large undeveloped and unimproved areas. The South Boston MHP (2000) briefly discussed the area of focus for the Plan amendment located at 146 – 150 Northern Avenue, known as “the restaurant parcels”, describing the restaurants on the Plan Amendment area as some of the few active businesses in the planning area doing well. At that time, the owners of the land were not interested in redevelopment and because new activity from the development proposed at Pier 4 and Fan Pier would continue to support the restaurant uses, no substitute provisions were requested for the 150 Seaport Boulevard site in 2000. At that time, it was understood that any requested changes to Chapter 91 baseline requirements for the restaurant parcels would be addressed in a future MHP amendment.

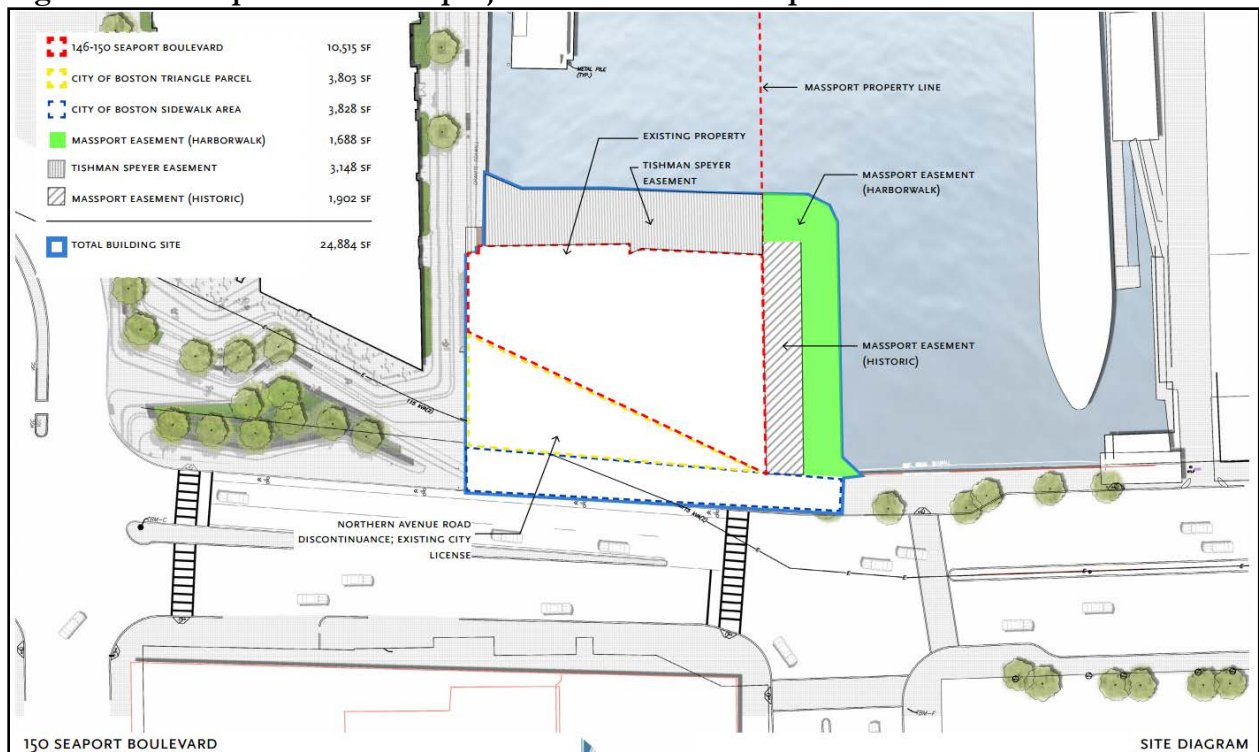
Figure 2. Area of focus for the South Boston Waterfront Municipal Harbor Plan amendment



The 150 Seaport Boulevard site is uniquely constrained by its physical location, size, ownership, and licensing history. The site as proposed has complicated ownership status, comprised of fee interest ownership, easements, and agreements. The developer holds fee interest in the parcels on which the Whiskey Priest and Atlantic Beer Garden restaurants are currently located, and other easements and licenses allowing for the current use of the existing restaurant infrastructure. The developer has indicated its intent to acquire development rights to two parcels owned by the City, one relating to the discontinuance of Old Northern Avenue and the other including a portion of the sidewalk along the new Northern Avenue (Figure 3). The Old Northern Avenue parcel has an existing high voltage transmission line running beneath it which limits development. The developer is also acquiring fee interest, easements, and/or leases with abutters for other portions of the project site: Tishman Speyer to the north and Massachusetts Port Authority (Massport) to the east. Lot coverage for the existing site is nearly 100 percent and public access is limited to a single table with

seating, located on the second floor of The Whiskey Priest and accessed via a narrow alley and stairway through the restaurant service area. Although required by the DEP to provide some public access under existing conditions, the current situation does not meet the standards nor the spirit of the public access requirements of the Waterways regulations. Water access to the site is limited as the site shares watershed with the neighboring Commonwealth Pier within the South Boston DPA. The west side of Commonwealth Pier is regularly used by large vessels including the Spirit of Boston and Bay State Cruise Company. Additionally, the Water Commons, a public docking facility, is located just to the north of the site along Pier 4. Vehicular access to the site is limited by the narrow shape, proximity to Pier 4, access via busy Seaport Boulevard and proximity to the B Street/Seaport Boulevard intersection.

Figure 3. 150 Seaport Boulevard project site land ownership



The 150 Seaport Boulevard site has a complex Chapter 91 Waterways licensing history. The proposed project site is comprised of four different parcels, three of which were licensed separately at different times, as well as a license agreement with Massport. A Written Determination by DEP for the 146 Northern Avenue (1997) required the construction of a Harborwalk; however, it was under appeal until a recent settlement in 2015. DEP's Waterways license for 148 Northern Avenue (1997, #6970) authorizes the existing restaurant and proposed Harborwalk; however, the Harborwalk was not constructed due to implications associated with the 146 Northern Avenue

appeal. Following enforcement proceedings, 150 Northern Avenue sought approval for a license authorizing the restaurant use and a proposed Harborwalk, but due to land owner and easement complications, the licensing has not been concluded.

As a general approach, the MHP process is meant to take a broad view that incorporates local goals and objectives for a harbor and translates them into a plan and implementable strategy for a specific region of the harbor in question. Depending on municipal priorities, timing of proposed developments, geographic constraints, and other factors, the process manifests itself in different ways, focusing different areas and extents for the plans—from an entire harbor to a district or neighborhood and, in some cases, a smaller subset of parcels. The plans also vary in their scopes, sometimes laying out detailed development standards and other times looking to establish general building maximums to allow for flexibility in future developments. Additionally, amendments to approved MHPs very often focus on smaller and site-specific scales to allow for revisions of the plan in order to account for changes in the planning area and surrounding development, variables of economic climates, details of a proposed project, and other constraints and factors.

In the Plan and supplemental filings, the City has proposed amendments for substitute provisions and offsetting measures specific to the redevelopment project site at 150 Seaport Boulevard. Through its local process, the City has developed the Plan and the proposed discretionary modifications to the Chapter 91 Waterways regulations and offsetting mitigation measures in a framework that the City has determined to be the best appropriate for this area of the waterfront. The Plan seeks substitute provisions for Chapter 91 standards specific to: additional building height, additional lot coverage, and a reconfigured Water-Dependent Use Zone (WUZ).

III. STANDARDS FOR APPROVAL

As noted previously, my approval today is bounded by the authority and standards as contained in 301 CMR 23.00 et seq. (Review and Approval of Municipal Harbor Plans) and is applicable only to those elements of the Chapter 91 Waterways regulations that are specifically noted in this Decision. This Decision does not supersede or stand for separate regulatory review requirements for any activity.

A. Consistency with CZM Program Policies and Management Principles

The federally-approved CZM Program Plan establishes 20 enforceable program policies and nine management principles which embody coastal policy for the Commonwealth of Massachusetts. The following is a brief summary of the Policies and Management Principles applicable to the Plan area:

- Water Quality Policy #1 – Ensure that point-source discharges in or affecting the coastal zone are consistent with federally approved state effluent limitations and water quality standards.
- Water Quality Policy #2 – Ensure that non-point pollution controls promote the attainment of state surface water quality standards in the coastal zone.
- Habitat Policy #2 – Restore degraded or former wetland resources in coastal areas and ensure that activities in coastal areas do not further wetland degradation but instead take advantage of opportunities to engage in wetland restoration.
- Protected Areas Policy #3 – Ensure that proposed developments in or near designated or registered historic districts or sites respect the preservation intent of the designation and that potential adverse effects are minimized.
- Coastal Hazards Policy #1 – Preserve, protect, restore, and enhance the beneficial functions of storm damage prevention and flood control provided by natural coastal landforms, such as dunes, beaches, barrier beaches, coastal banks, land subject to coastal storm flowage, salt marshes, and land under the ocean.
- Coastal Hazards Policy #2 – Ensure construction in water bodies and contiguous land area will minimize interference with water circulation and sediment transport. Approve permits for flood or erosion control projects only when it has been determined that there will be no significant adverse effects on the project site or adjacent or downcoast areas.
- Ports Management Principle #1 – Encourage, through technical and financial assistance, expansion of water dependent uses in designated ports and developed harbors, re-development of urban waterfronts, and expansion of visual access.

- Public Access Policy #1 – Ensure that developments proposed near existing public recreation sites minimize their adverse effects.
- Public Access Management Principal #1 – Improve public access to coastal recreation facilities and alleviate auto traffic and parking problems through improvements in public transportation. Link existing coastal recreation sites to each other or to nearby coastal inland facilities via trails for bicyclists, hikers, and equestrians, and via rivers for boaters.
- Public Access Management Principal #2 – Increase capacity of existing recreation areas by facilitating multiple use and by improving management, maintenance, and public support facilities. Resolve conflicting uses whenever possible through improved management rather than through exclusion of uses.
- Public Access Management Principal #3 – Provide technical assistance to developers of private recreational facilities and sites that increase public access to the shoreline.
- Public Access Management Principal #4 – Expand existing recreation facilities and acquire and develop new public areas for coastal recreational activities. Give highest priority to expansions or new acquisitions in regions of high need or limited site availability. Assure that both transportation access and the recreational facilities are compatible with social and environmental characteristics of surrounding communities.
- Energy Management Principle #1 – Encourage energy conservation and the use of alternative sources such as solar and wind power in order to assist in meeting the energy needs of the Commonwealth.

The Plan includes an assessment of how it is consistent with CZM Program Policies and Management Principles, and based on review of the documentation provided by the City and the assessment of CZM, I conclude that it meets the intent of each relevant policy and, as required by 301 CMR 23.05(1), I find the Plan consistent with CZM policies.

B. Consistency with Tidelands Policy Objectives

As required by 301 CMR 23.05(2), I must also find that the Plan is consistent with state tidelands policy objectives and associated regulatory principles set forth in the Chapter 91 Waterways (“Waterways”) regulations of DEP (310 CMR 9.00). As promulgated, the Waterways regulations provide a uniform statewide framework for regulating tidelands projects. Municipal Harbor Plans and associated amendments provide cities and towns with an opportunity to propose modifications to these uniform standards through either the amplification of the discretionary requirements of the Waterways regulations and/or the adoption of provisions that, if approved, are intended to substitute for the minimum use limitations or numerical standards of 310 CMR 9.00 by DEP. The substitute provisions of Municipal Harbor Plans can reflect local planning goals in

decisions involving the complex balancing of public rights in and private uses of tidelands, and in effect, serve as the basis for a DEP waiver of specific use limitations and numerical standards affecting nonwater-dependent use projects, provided that other requirements are in place to mitigate, compensate, or otherwise offset adverse effects on water-related public interests.

The Plan contains clear guidance that will have a direct bearing on DEP licensing decisions within the harbor planning area. Included in this guidance are provisions that are intended to substitute for certain minimum use limitation and numerical standards in the regulations. These provisions are each subject to the approval criteria under 301 CMR 23.05(2)(b)-(e), and as explained below, I find that all such criteria have been met.

Evaluation of Requested Substitute Provisions

The general framework for evaluating all proposed substitute provisions to the Waterways requirements is established in the Municipal Harbor Plan regulations at 301 CMR 23.05(2)(c) and 301 CMR 23.05(2)(d). The regulations, in effect, set forth a two part standard that must be applied individually to each proposed substitution in order to ensure that the intent of the Waterways requirements with respect to public rights in tidelands is preserved.

For the first part, in accordance with 301 CMR 23.05(2)(c), there can be no waiver of a Waterways requirement unless the Secretary determines that the requested alternative requirements or limitations ensure that certain conditions—specifically applicable to each minimum use limitation or numerical standard—have been met. The second standard, as specified in 301 CMR 23.05(2)(d), requires that the municipality demonstrate that a proposed substitute provision will promote, with comparable or greater effectiveness, the appropriate state tidelands policy objective. A municipality may propose alternative use limitations or numerical standards that are less restrictive than the Waterways requirements as applied in individual cases, provided that the plan includes other requirements that, considering the balance of effects on an area-wide basis, will mitigate, compensate for, or otherwise offset adverse effects on water-related public interests.

For substitute provisions relative to the minimum use and numerical standards of 310 CMR 9.51(3)(a)–(e), any proposal must ensure that nonwater-dependent uses do not unreasonably diminish the capacity of tidelands to accommodate water-dependent uses. Similarly, substitute provisions for nonwater-dependent projects on Commonwealth Tidelands must promote public use and enjoyment of such lands to a degree that is fully commensurate with the proprietary rights of

the Commonwealth therein, and which ensures that private advantages of use are not primary but merely incidental to the achievement of public purposes, as provided in 310 CMR 9.53.

Table 1 at the end of this section contains a summary of the proposed offsets and substitute provisions contained in the Plan and subject to this Decision.

Analysis of Requested Substitute Provisions

Building Height

To approve any substitute provision to the height standard at 310 CMR 9.51(3)(e), I must first determine that the Plan specifies alternative height limits and other requirements that ensure that, in general, new or expanded buildings for nonwater-dependent use will be relatively modest in size, in order that wind, shadow, and other conditions of the ground-level environment will be conducive to water-dependent activity and public access associated therewith, as appropriate for the harbor planning area. The approval regulations focus on how a building's mass will be experienced at the public open spaces on the project site, especially along the waterfront and key pathways leading thereto. Within this context, I must apply the "comparable or greater effectiveness" test to determine whether the proposed substitution and offsetting measures will assure that the above objective is met. My determination relative to whether or not these provisions promote this tideland policy with comparable or greater effectiveness was conducted in accordance with the Municipal Harbor Plan regulatory guidance discussed in detail below.

Under the Waterways regulations heights shall not exceed 55 feet (ft) within 100 ft of the shoreline, stepping up one foot for every two feet landward of the project shoreline. The resulting height allowed within jurisdiction on the development site would be 55 ft. The Plan requests a substitution of the Waterways requirements at 310 CMR 9.51(3)(e) that would allow non-water dependent buildings up to a height of 250 ft.

Several comments included concerns regarding the height of the building at 150 Seaport Boulevard proposed in the Plan. A few comments questioned whether the proposed height met the 'modest in size standard' of the Waterways requirements.

In reviewing the Plan and the supplemental information submitted during the consultation period, I find that while the proposed building height is greater than what would be allowed under the baseline Waterways requirements, the proposed height is in keeping with the height of other buildings in the area, will not adversely interfere with water-dependent activity and public access and is appropriate for the South Boston waterfront. The building located immediately to the west, 100

Pier 4, is 250 ft in height as will be the proposed building located across Seaport Boulevard on the M1 parcel. Additionally, the buildings located within the Fan Pier development located to the west of Pier 4 at parcels B, C, D, and G are, or will be, 250 ft. Indeed, the majority of the buildings located to the North of Seaport Boulevard between the Old Northern Avenue Bridge and the project site are 250 ft tall. I believe that in the context of the neighboring developments, the proposed height is relative and modest in size, as appropriate for the South Boston harbor planning area, and as detailed below I find that the proposed offsets adequately compensate for the proposed increase in height.

Impacts from additional height are assessed at the pedestrian level with special attention to whether the ground level environment will be conducive to water-dependent activity and associated public access. Shadow studies are conducted to measure any changes to the ground level conditions. Shadow impacts caused by increased building height, effecting the ground level environment, are mitigated with appropriate offsetting measures.

Shadow studies, included as a part of the Plan, provided an analysis of how the proposed building height would compare to baseline Chapter 91 compliant shadows. For the purposes of this project, shadow impacts are measured within the Shadow Protection Zone as delineated in the 2000 South Boston MHP and based on the solar orientation on October 23rd when open space is still actively used and shadows are larger due to the position of the sun. The shadow studies completed for the 150 Seaport Boulevard project indicate a net new shadow of 16,640 sf of which 4,443 sf falls on land associated with the adjacent Pier 4 development and 12,197 sf falls on water associated with the watershed area between Pier 4 and Commonwealth Pier, known as the Water Commons (Appendix 1 in the Plan). While the shadow studies showed an increase in net new shadow, the duration of the new shadow is largely limited to two or less hours. A small area comprised primarily of watershed will be affected by a net new shadow for the duration of three or more hours.

Wind studies for 150 Seaport Boulevard found that for 97 percent of the tests run, wind conditions either improved or remained the same for the pedestrian level experience. To ensure this is the case, the City has committed to reviewing building design elements such as canopies, wind screens and landscaping during Article 80 review, to ensure there are no negative wind impacts on ground-level conditions, and that any impacts will be adequately mitigated.

Based on my review of the Plan, it appears that there will be net new shadow cast by the 150 Seaport Boulevard project that will affect a portion of the ground-level conditions as described above. As part of my review, I must ensure that the plan includes requirements that, considering the

balance of effects on an area-wide basis, will mitigate, compensate for, or otherwise offset adverse effects on water-related public interests.

The City has proposed a combination of measures in an offset framework for both proposed height substitution and the lot coverage substitution. These offsetting measures and my analysis of their capacity to mitigate and compensate for any potential diminishment of water-dependent activity and public access to the waterfront from the proposed substitutions are described below.

Lot Coverage

To approve any substitute provision to the lot coverage standard at 310 CMR 9.51(3)(d), I must first determine that the Plan specifies alternative site coverage ratios and other requirements that ensure that, in general, buildings for nonwater-dependent use will be relatively condensed in footprint, in order that an amount of open space commensurate with that occupied by such buildings will be available to accommodate water-dependent activity and public access associated therewith, as appropriate for the area. My determination relative to whether or not this substitute provision promotes this tidelands policy with comparable or greater effectiveness is conducted in accordance with the regulatory guidance discussed below.

The Waterways regulations require at least one square foot of the project site be preserved as open space for every square foot of building containing nonwater-dependent uses on the project site. The Plan proposes a substitute provision to allow for lot coverage of up to 75 percent of the site, resulting in at least 25 percent of the site being preserved as publicly accessible open space.

As detailed in the Plan and the supplemental filing, the site for the 150 Seaport Boulevard project is comprised of several parcels, easements, and a license agreement with different owners and separate Chapter 91 licenses that will be aggregated to make up the project site. As such, the determination of the project shoreline is necessary prerequisite to the analysis and determination of certain Waterways requirements, such as lot coverage, pedestrian access (i.e., Harborwalk) and WDUZ. The City's initial Plan filing was based on an interpretation of project shoreline that included the pile-supported Harborwalk required by DEP's 1997 Waterways license (#6970). During the consultation period, DEP made the formal determination that the project shoreline is the line marking the perimeter of the current piers, wharfs, or other structures supported by existing piles of the parcels and easements making up the proposed project site.

Several comments expressed concerns with the proposed lot coverage substitution. One concern raised was that the requested amount of 75 percent lot coverage was too high for the area. The second concern focused on the acquisition/easements of City-owned property by the 150 Seaport Boulevard developers for the project site.

In evaluating this considerable modification from the Chapter 91 baseline requirement of 50 percent lot coverage, several important factors were considered. Firstly, the project site is significantly constrained and under current conditions, lot coverage is close to 100 percent, and there is a significant lack of public access. Another factor is the building architecture which according to the City's Plan includes a unique design intended to highlight its location as an important gateway into both the Seaport District and the city and its connection with the water. The proposed building design has a smaller building footprint plate on the lowest floors, and beginning approximately 40 ft above the ground floor, the building gradually extends out over the ground level plane. The design of the proposed 150 Seaport Boulevard allows for greater outdoor public access well beyond the 25 percent open space value: due to the architectural design of the building, there are areas of the project site that will be open and accessible to the public, but because they are not open to the sky, they do not qualify as open space under the Waterways standards and operative policies. The open space provided on 150 Seaport Boulevard site in connection with the covered public realm areas (approximately 3,600 sf or 18 percent of the lot) will provide a substantial amount of continuous area that may be utilized by the public to access the waterfront. Another element of my consideration is the reduction in building footprint (and thus lot coverage) from the original submission, from 15,600 sq ft to 15,000 sq ft, allowing for a 10 foot wide Harborwalk around the project shoreline as detailed in the City's supplemental filing. Additionally, as described below, to further activate the project site, the City has proposed an amplification for additional public space through a new Seaport Wharf.

With respect to the inclusion of City-owned space in the calculation of lot coverage, it is the developer's responsibility to properly and legally secure through fee interest, easement, lease or other lawful agreement to construct or improve the various parcels and area comprising the project site. The substitutions proposed in the Plan are based on the aggregation of the parcels and areas to form this project site, and consequently the approval of these substitutions in this Decision is necessarily contingent on obtaining such rights.

The City has proposed a combination of measures in an offset framework for both the proposed lot coverage substitution and the height substitution. These offsetting measures and my

analysis of their capacity to mitigate and compensate for any potential diminishment of water-dependent activity and public access to the waterfront from the proposed substitutions are described below.

Offsetting Measures for Building Height and Lot Coverage

In its Plan, the City has proposed a combination of measures to collectively offset the shadow impacts associated with the proposed height substitution and the effects of increased lot coverage on public access and water-dependent activity. The first measure is an obligation for the funding of open space at Children's Wharf along the Fort Point Channel. More specifically, the Plan requires that \$1.5M for Martin's Park at Children's Wharf, a universally accessible park and playground to honor Martin W. Richard, the youngest victim of the 2013 Boston Marathon bombings. Martin's Park will provide a landmark venue for children, families, and visitors of all abilities and is a priority of the Commonwealth, the City and the South Boston neighborhood. Comments raised concerns as to the valuation of this funding requirement and its timing. I have reviewed the City's rationale and analysis for this valuation, and I found this information to be useful in the overall assessment of offsetting measures. While there is no formal process for establishing monetary value for mitigation and compensation within the Municipal Harbor Plan review and approval process, the quantitative estimates and valuation together with a qualitative assessment of needs, planning goals, public input, and other factors inform my determination that the City has proposed requirements that, considering the balance of effects on an area-wide basis, will mitigate, compensate for, or otherwise offset adverse effects on water-related public interests. With respect to timing, I note there has been significant progress in the planning, design, and financing of Martin's Park at Children's Wharf, and I am confident that implementation of the park will be generally coincident with any potential redevelopment of 150 Seaport Boulevard. As a result of my review, I find that the proposed offset will provide amenities and benefits that have been ranked as top priorities by the South Boston MHP Advisory Committee and in public comment letters received on the Plan Amendment. The offset will serve to provide high quality open space within the planning area.

The second offsetting measure is a proposed requirement to further enhance the public's experience along the waterfront by providing for an interior public area at 150 Seaport Boulevard. Comments raised questions about this interior space as an offsetting measure. This first-floor interior space, located on the Seaport Boulevard side of the building, will welcome the transient

public, including people waiting for water transportation departures and arrivals landing at the Water Commons or at Commonwealth Pier, as well as others seeking publically accessible indoor space on the waterfront. The City is proposing that the interior space be integrated within a section of the lobby area of 150 Seaport Boulevard and will include seating and tables, amenities such as free Wi-Fi and information on water transit options. The space will also offer programming, including the display of artwork from local artists (e.g., Artists for Humanity and Fort Point Arts Council) as well as other opportunities for educational or artistic exhibits. The City's proposal to provide interior public space that is co-located within a section of the ground floor lobby area with associated features, services, and programming is an alternative that provides the general public with a more welcoming atmosphere and greater benefits than an option that would provide the transient public with a separate, smaller, and discrete space. The specific details on the final dimensions, hours of operation, management requirements and programming will occur during the Waterways licensing for the 150 Seaport Boulevard project.

Approval of the substitute provisions for building height and lot coverage proposed in the Plan requires that I find that the details and specifics of the alternative provisions together with the proposed offsetting measures will promote, with comparable or greater effectiveness, the applicable state tidelands policy objectives. As a result of my review, I agree that the proposed offset measures will provide significant amenities and benefits that will serve to enhance the public realm, the public's waterfront experience, and accommodate a range of water-dependent activities. I find that the requested substitute provisions, coupled with the proposed offsetting measures, will not impair water-dependent activity and public access to the waterfront, and will appropriately serve to meet the objectives of 310 CMR 9.51(3)(d) and 310 CMR 9.51(3)(e). Therefore, I approve these substitutions and the corresponding offset measures.

Water-Dependent Use Zone

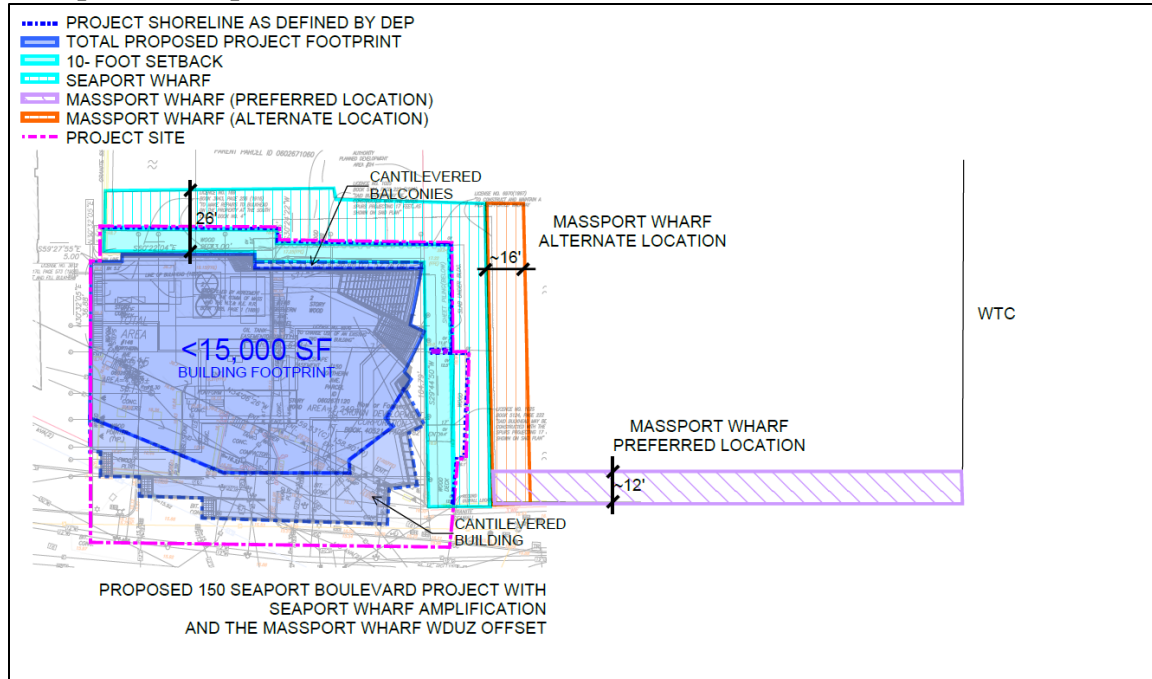
To approve any substitute provision to the standard for WDUZ at 310 CMR 9.51(3)(c), I must first determine that the Plan specifies alternate distances and other requirements that ensure new or expanded buildings for nonwater-dependent use are not constructed immediately adjacent to a project shoreline, in order that sufficient space along the water's edge will be devoted exclusively to water-dependent use and public access associated therewith as appropriate for the area. Second, within the context of the Plan, the City must demonstrate that the substitute provision will meet this standard with comparable or greater effectiveness. My determination relative to whether or not these

provisions promote this tideland policy with comparable or greater effectiveness is conducted in accordance with the Municipal Harbor Plan regulatory guidance discussed in detail below.

The initial Plan submittal did not include a request for a substitution to the Water-Dependent Use Zone requirement at 310 CMR 9.51(3)(c), but in its supplemental filing, the City has proposed a substitution allowing for the reconfiguration of the WDUZ (Figure 4). The requested reconfiguration would require that a minimum width of 10 feet be maintained along the project shoreline for a Harborwalk, meeting the minimum width requirements, and that no net loss of WDUZ area (5,770 sf total WDUZ area) be allowed. The WDUZ within the project shoreline includes a 10 ft Harborwalk connecting from Pier 4 along the north side of the project site and then running down the east side of the project site to Seaport Boulevard (totaling approximately 4,000 sf). The proposed WDUZ substitution will reconfigure the balance of the required WDUZ (approximately 2,000 sf) onto one of two locations: (1) a pile-supported wharf area—referred to as Massport Wharf—extending from the eastern edge of the proposed project along Seaport Boulevard to Commonwealth Pier, or (2) an alternative pile-supported wharf area that would extend southeasterly from the project site. This reconfigured WDUZ will widen pedestrian connections from the project site to Seaport Boulevard and down to Commonwealth Pier, enhancing the pedestrian experience along the waterfront and increasing safety by providing a queueing area for the public accessing the water transportation facilities at Commonwealth Pier. Both options for reconfiguration meet community goals for improved public realm while still protecting the shoreline for water-dependent uses by maintaining at least the quantity of WDUZ area (approximately 5,770 sf total) as required by the regulations. The reconfiguration of the WDUZ will also provide opportunities to balance the protection of the waterfront for water-dependent uses with the specifics of the development project.

There were no comments indicating concerns with the proposed reconfiguration of the WDUZ. Regarding the location options for the reconfigured WDUZ area, comments indicated a strong preference for the Massport Wharf alternative which runs parallel to Seaport Boulevard providing a connection to Commonwealth Pier. This alternative was preferred as it will provide a significant public benefit by improving pedestrian circulation around the ferry terminal at Commonwealth Pier.

Figure 4. 150 Seaport Boulevard proposed Water Dependent Use Zone reconfiguration: Massport Wharf preferred and alternate locations



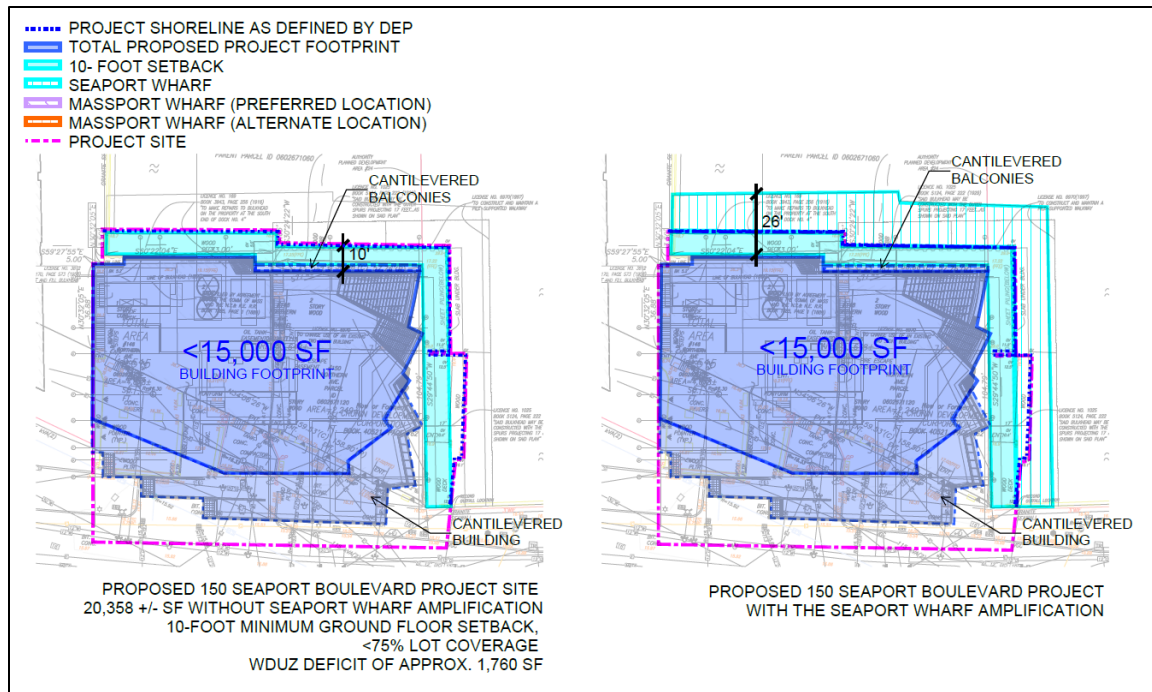
As a result of my review, I find that the City has demonstrated that the proposed substitute provision ensures that considering the constraints specific to this site, the WDUZ provided along the edge of the project shoreline which will be devoted exclusively to water-dependent use and public access is sufficient, and I therefore approve this substitute provision and associated offsetting measure. My approval of this substitution is conditioned with a preference that the approximately 2,000 sf of reconfigured WDUZ be met through the Massport Wharf alternative described above, and further that under no circumstances will there be a net loss of WDUZ area as a result of reconfiguration.

Amplification for Exterior Open Space (310 CMR 9.53(2)(b))

As part of the Plan Amendment, the City requests an amplification to the standard for the Activation of Commonwealth Tidelands at 310 CMR 9.53(2)(b). Due to the unique nature of the site and the significant constraints relative to its size, location, ownership and licensing history, the opportunities for providing quality public realm space and benefits along the waterfront is extremely limited. Many comments received during the public comment period emphasized the need to provide for greater public access and pedestrian connections along the water between the Harborwalk along Pier 4 and Seaport Boulevard. The City’s supplemental filing includes a request to amplify the discretionary provisions of the Waterways standards relating to exterior open space by

creating a deck area of approximately 5,000 sf beyond the existing project shoreline, referred to as Seaport Wharf (Figure 5). Seaport Wharf would be in addition to the 10 ft Harborwalk located within the existing project shoreline and will not count towards lot coverage, open space, or WDUZ calculations.

Figure 5. 150 Seaport Boulevard with Seaport Wharf Amplification



The City’s Plan proposes the amplification of publically accessible space along the water’s edge through the construction of Seaport Wharf to significantly enhance public realm opportunities at the project site. The proposed Seaport Wharf will extend beyond the existing project shoreline over open watershed located between the existing restaurant parcels and the public docking facilities at the Water Commons. This watershed, located at a pinch point, does not currently provide much opportunity for water-dependent use.

Comments on the proposed Seaport Wharf amplification were generally supportive of the addition of Seaport Wharf. However, one comment letter, while supportive, raised concerns regarding the precedent of allowing projects to expand over open water to provide public space that could not be provided onsite. To be clear, the Seaport Wharf amplification is a significant amenity to the project for the public access and activation of the site, but it is not being considered for the calculation of lot coverage, open space, or WDUZ, and it is not proposed as an offset for requested substitutions. Seaport Wharf is an additional but important feature of the 150 Seaport Boulevard

project providing increased opportunities for the public to access the waterfront which was a stated priority of the Advisory Committee, the City and the public. Although the requested amplification will result in the loss of open water, I find that given the particular factors, conditions, and constraints unique to the 150 Seaport Boulevard site, including the lack of water-dependent use opportunities this space can accommodate, the strong public desire to unify the public realm areas along Pier 4 with the proposed development, and the greater public activation that would be realized through a new wharf, the benefits of Seaport Wharf out-weigh the detriments of the net loss of watersheet in the area. Further, because Seaport Wharf will be licensed solely as a water-dependent use, public access to and along the shore will be protected. Therefore, as a result of my review, I grant the amplification request for greater publically accessible exterior space on the project site. My approval of this amplification is conditioned such that the required easements and other agreements with abutting property owners must be in place prior to licensing of the development project.

Table 1. Summary of Substitute Provisions

Regulatory Provision	Chapter 91 Standard	Substitution	Offsetting Measures
310 CMR 9.51(3)(e): Height Standards and Related Impacts on Public Use or Access	“...new or expanded buildings for nonwater-dependent use shall not exceed 55 feet in height if located over the water or within 100 feet landward of the high water mark ...”	Allow height up to 250 feet	\$1.5 million to improve open space within or adjacent to the South Boston MHP planning area specifically Martin’s Park at Children’s Wharf.
310 CMR 9.51(3)(d): Lot Coverage	“...at least one square foot of the project site at ground level, exclusive of areas lying seaward of a project shoreline, shall be preserved as open space for every square foot of tideland area within the combined footprint of buildings containing nonwater-dependent use on the project site ...”	Up to 75% lot coverage may be permitted	Interior public waiting area and reception space on the ground floor of the proposed development integrated within the general lobby areas, including amenities and programming described above with clear signage on the interior and exterior of the building.
310 CMR 9.51(3)(c): Water-Dependent Use Zone (WDUZ) setbacks	“New or expanded buildings for nonwater-dependent use, and parking facilities at or above grade for any use, shall not be located within a water-dependent use zone”. On the Development Site, the required WDUZ would total 5,768 sf.	The required WDUZ dimensions may be reconfigured as long as a minimum width of 10 feet is maintained along the project shoreline and as long as the modification results in no net loss of WDUZ area.	The reconfigured WDUZ will include the 10 ft setback from the existing project shoreline (except that area which is under the cantilevered balcony areas) and one of two alternative areas of approximately 2,000 sf described above, with a preference for “Massport Wharf”.

Extended License Terms

The Plan includes recommendations for additional public benefits that would be required if the 150 Seaport Boulevard project requests an extended license term from DEP for Commonwealth tideland occupation. The Plan recommends that DEP consider funds to build out space allocated to the Fort Point Arts Community located at the Envoy Hotel. I concur with this recommendation, and advise DEP to look to this and other public benefits such as water transportation subsidies and waterfront activation during the licensing process. During the licensing process, DEP should closely coordinate with the City of Boston on the appropriateness of public benefits associated with a request for any extended term license.

Climate Resilience

While not formally a part of the MHP review and approval standards, I note that the Plan includes strategies to address the potential impacts of climate change in the South Boston Waterfront District planning area. As recognized in Governor Baker's recent Executive Order 569 "Establishing an Integrated Climate Change Strategy for the Commonwealth" and a suite of other state and municipal initiatives, the impacts of climate change must be an important consideration for development across the state, within the City of Boston, and in South Boston. Specific to the 150 Seaport Boulevard project, building design elements have been incorporated which will limit the site's vulnerability to coastal flooding and storm events. The proposed project will locate all critical mechanical and electrical infrastructure above the first floor, the underground infrastructure and below grade parking will be enclosed in a water proofed envelope that can be extended to include the first floor, emergency generators will be located on the roof, the first floor will be constructed at a height which would allow for future modification of the ground floor elevation as sea levels rise, and the pile-supported outdoor public areas will be constructed so that they may be raised to match changes to the interior ground floor elevation. These and other resilient design techniques incorporated into the proposed project are critically important and address public comments received regarding the importance of planning for the impacts of climate change.

C. Relationship To State Agency Interests

The proposed 150 Seaport Boulevard project is located immediately to the east of Commonwealth Pier which is owned by the Massport. Additionally, the ownership interests comprising the 150 Seaport Boulevard Project include an existing license from Massport for the

restaurant structures extending beyond the eastern edge of the property owned in fee. In order for the project to proceed, an additional easement or lease from Massport will be required. A letter from Massport is attached to this Decision regarding the relationship between the 150 Seaport Boulevard Project and Massport interests.

D. Implementation Strategies

Pursuant to 301 CMR 23.05(4), the Plan must include enforceable implementation commitments to ensure that, among other things, all measures will be taken in a timely and coordinated manner to offset the effect of any plan requirement less restrictive than that contained in 310 CMR 9.00. The provisions of this Plan will be implemented through the City of Boston Zoning Code's Planned Development Area (PDA) planning mechanism. The 150 Seaport Boulevard project is located within the South Boston Inner Harbor subdistrict of the South Boston Waterfront Interim Planning Overlay District (IPOD). The proponent will seek approval of a PDA development plan for the 150 Seaport Boulevard project which will be subject to approval by the BPDA Board, the Boston Zoning Commission, and the Mayor. The PDA will establish specific dimensional requirements as set forth within this Plan Amendment regarding height, lot coverage, and building setbacks that are consistent with the approved substitute provisions and offsetting measures described in the Plan Amendment. Based on the information provided in the Plan and as discussed above, implementation commitments including the finalization of easements and land transfers required for the PDA must be complete prior to final approval of the PDA by the City. With the identification of the implementation commitment discussed above, I believe no further commitments are warranted, and I find that this approval standard has been met.

IV. EFFECTIVE DATE AND TERM OF APPROVAL

This Decision shall take effect immediately upon issuance on December 21, 2016. As requested by the City of Boston, the South Boston Waterfront Municipal Harbor Plan Renewal and Amendment Decision shall expire 10 years from this effective date unless a renewal request is filed prior to that date in accordance with the procedural provisions of 301 CMR 23.06. No later than six months prior to such expiration date, in addition to the notice from the Secretary to the City required under 301 CMR 23.06(2)(b), the City shall notify the Secretary in writing of its intent to request a renewal and shall submit therewith a review of implementation experience relative to the promotion of state tidelands policy objectives.

V. STATEMENT OF APPROVAL

Based on the planning information and public comment submitted to me pursuant to 301 CMR 23.04 and evaluated herein pursuant to the standards set forth in 301 CMR 23.05, I hereby approve the City of Boston South Boston Waterfront Municipal Harbor Plan Renewal and Amendment subject to the following conditions:


1. The application of the substitutions and amplifications in the Plan are contingent on properly and legally securing the rights to construct or improve the various parcels and area comprising the 150 Seaport Boulevard project site through fee interest, easement, lease, or other lawful agreement.
2. DEP shall require reasonable conditions and arrangements to ensure that off-site open space improvements and/or amenities are generally implemented concurrent with the associated development on tidelands.
3. In the application of substitutions DEP shall refer to Section III(B), Table 1, and the following conditions:
 - In meeting the reconfigured WDUZ substitution, the City, developer and Massport shall make every reasonable effort to implement the approximately 2,000 sf WDUZ area in the location described in the Plan and this Decision as Massport Wharf. Before the alternative option can be advanced, the City shall submit a justification and explanation with details of why the preferred Massport Wharf option is unfeasible.
 - Although the construction of the reconfigured WDUZ relies on easement agreements with Massport, it shall proceed within the same timeframe as the rest of the proposed 150 Seaport Boulevard project and must be complete prior to occupancy.
 - Although the construction of Seaport Wharf relies on easement agreements with Tishman Speyer, it shall proceed within the same timeframe as the rest of the proposed 150 Seaport Boulevard project and must be complete prior to occupancy.
4. The City shall prepare a final, approved City of Boston South Boston Waterfront Municipal Harbor Plan Renewal and Amendment (“Approved Plan Renewal and Amendment”) to include:
 - The Plan Renewal and Amendment dated June, 2016;
 - Supplemental materials dated November 15, 2016 submitted during the consultation session; and
 - This Decision.

Copies of the final Approved Plan Renewal and Amendment shall be provided to CZM and DEP’s Waterways Program, kept on file at the City of Boston, and made available to the public through the City’s website and/or copies at the public library. For Chapter 91 Waterways licensing purposes pursuant to 310 CMR 9.34(2), the Approved Plan Renewal and Amendment shall not be construed to include any of the following:

1. Any subsequent addition, deletion, or other revision to the final Approved Plan Renewal and Amendment, except as may be authorized in writing by the Secretary as a modification unrelated to the approval standards of 301 CMR 23.05 or as a plan amendment in accordance with 301 CMR 23.06(1);
2. Any provision which, as applied to the project-specific circumstances of an individual license application, is determined by DEP to be inconsistent with the Waterways regulations at 310 CMR 9.00 or with any qualification, limitation, or condition stated in this Approval Decision.

This Decision and the Approved Plan Renewal and Amendment do not supersede separate regulatory review requirements for any activity.

In a letter dated December 20, 2016, the DEP Waterways Program Chief has expressed support for approval of the Plan and stated that in accordance with the provisions of 310 CMR 9.34(2) the Department will require conformance with any applicable provisions of the approved Plan in the case of all waterways license applications submitted subsequent to the Plan's effective date. It will apply as well to all pending applications for which no public hearing has occurred or where the required public comment period has not expired by the effective date of the approved Plan.



Matthew A. Beaton
Secretary of Energy and Environmental Affairs



Date



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Stueberg
Commissioner

December 20, 2016

Matthew A. Beaton, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street
Boston, MA 02114

RE: DEP Recommendation for the Approval of the City of Boston's South Boston Waterfront District
Municipal Harbor Plan Renewal and Amendment, dated June 15, 2016

Dear Secretary Beaton:

The Department of Environmental Protection, Waterways Regulation Program ("the Department") has reviewed the City of Boston's South Boston Waterfront District Municipal Harbor Plan Renewal and Amendment ("the Plan") dated June 15, 2016 and supplemental information dated November 23, 2016. The Department's staff have worked closely with the Massachusetts Office of Coastal Zone Management (CZM) and representatives of the City of Boston throughout the planning process and our comments have been addressed and incorporated into the Plan and supplemental information. The Department, therefore, recommends that you approve the Plan and make a finding that it is consistent with state tidelands policy objectives, as required by 301 CMR 23.05(3).

The Department will adopt as binding guidance in all License application review any Substitute Provisions contained in the final Decision. The Plan and supplemental information lay out Substitutions and Offsets that will adequately meet the protected interests pursuant to 310 CMR 9.00. The Substitutions contained in the Plan and supplemental information will modify the standards pursuant to: 310 CMR 9.51(3)(c), which governs allowable uses and setbacks in the Water-Dependent Use Zone (WDUZ); 310 CMR 9.51(3)(d), which governs the amount of pedestrian level open space on the Project Site; and 310 CMR 9.51(3)(e), which governs the allowable heights of nonwater-dependent buildings based on their distance from the high-water mark on the Project Site. The Department has determined that the Plan establishes appropriate Offsets for each of the Substitutions. The Plan and supplemental information also lay out an Amplification pursuant to 310 CMR 9.51(3)(d) and 310 CMR 9.52(1)(b) for an expanded pedestrian access network seaward of the project shoreline..

In accordance with the provisions of 310 CMR 9.34(2), the Department will require conformance with any applicable provision of the approved Plan in the case of all waterways license applications

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

submitted subsequent to the Plan's effective date. Approved Plans apply to all pending applications for which no public hearing has occurred and where the required public comment period has not expired by the effective date of the Decision.

The Department looks forward to continuing its work with CZM, representatives of the City of Boston, and the advocacy community in the implementation of this important planning effort. Should you have any questions in regard to the foregoing, please contact me at (617)292-5615. Thank you for your consideration.

Sincerely,



Ben Lynch
Program Chief
Waterways Regulation Program

Cc: Brian Golden, City of Boston
Rich McGuinness, Boston Planning and Development Authority
Bruce Carlisle, CZM



Massachusetts Port Authority
One Harborside Drive
East Boston, MA 02128-2909
Telephone (617) 568-5000
www.massport.com

December 21, 2016

Mathew A. Beaton, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: 2016 South Boston Municipal Harbor Plan Renewal and Amendment

Dear Secretary Beaton:

I am writing on behalf of the Massachusetts Port Authority (Massport) regarding the recent supplemental filing by the City of Boston Planning and Development Agency pertaining to the on-going South Boston Municipal Harbor Plan Renewal and Amendment process.

As an abutting property owner to the subject site, Massport has previously commented on the proposed amendment, and comments concerning the importance of Seaport Boulevard as a truck route serving the port, coordinated public realm planning amongst landowners and agencies, and other matters still stand.

The supplemental filing includes a requirement of the developer of 150 Seaport Boulevard to construct an expanded section of Harborwalk on a pile-support wharf structure between the project site and Commonwealth Pier/World Trade Center, identified as Massport Wharf. Also referenced as a requirement is passenger water transportation waiting area (which will be needed to replace the existing ticketing office once the wharf is built). Massport supports these requirements, which will create needed public realm improvements along the Harborwalk. They are consistent with Massport staff discussions with the developer, existing Massport tenants, and BPDA staff.

Should you have any questions, please contact me at 617-568-3524.

Sincerely,

Massachusetts Port Authority

A handwritten signature in black ink, appearing to read "Stewart Dalzell", written over a horizontal line.

Stewart Dalzell, Deputy Director
Environmental Planning and Permitting

CC: J. Doolin, A. Hargens/Massport