

**Designation Decision for the
East Boston Designated Port Area
Boston, MA**

**Executive Office of Energy and Environmental Affairs
Office of Coastal Zone Management
December 23, 2022**

I. INTRODUCTION

Pursuant to the Designated Port Area (DPA) regulations at 301 CMR 25.00, today as Director of the Office of Coastal Zone Management (CZM), I hereby issue this designation decision for the boundary review of the East Boston DPA. This decision affirms the findings and proposed DPA boundary modifications in CZM's December 15, 2021 designation report, *Boundary Review of the East Boston Designated Port Area, Boston, MA* ("boundary designation report"), and its issuance concludes the boundary review process, as described below.

In January 2020, in accordance with 301 CMR 25.03, the Boston Planning & Development Agency (BPDA) submitted a request to CZM to review portions of the East Boston DPA boundary. After evaluating the request, CZM determined that a review of the entire DPA, inclusive of land and water, was warranted. Prior to the publication of CZM's notice of intent to review the boundary, which initiates the review process, the BPDA requested a delay due to the developing COVID-19 pandemic. Simultaneously, local and state declarations of states of emergency related to the pandemic necessitated the postponement of the review. After this postponement and in consultation with the BPDA and other stakeholders, CZM issued its notice of intent to review the East Boston DPA boundary on February 10, 2021. After which, a virtual public information meeting was held on February 23, 2021 and the 30-day public comment period closed on March 12, 2021. The consultation period, which by regulation may last up to six months, was extended for an additional two months based upon request by the BPDA.

To inform the DPA boundary review process, CZM conducted the consultation process required by 301 CMR 25.03(4). CZM reviewed comments submitted and met with property owners, city officials, state agency partners, neighborhood constituent groups, and interested constituents. CZM also conducted site visits and reviewed available plans, permits, and licenses applicable to the DPA boundary review area. Throughout the course of the review, CZM received formal and informal comments from DPA property owners, the public, local organizations and City and state agencies. CZM considered all comments in the context of the policy and regulatory framework that guides the review. Many commenters provided substantive information regarding history, uses, constraints, impacts, and other features of the existing DPA which was particularly useful in the boundary review process.

A boundary review designation report was issued on December 15, 2021. The report concluded with the finding that the DPA boundary should be modified to exclude the upland areas of the Jeffries Point planning unit and the DPA boundary should remain the same in the area of the Border Street North, Border Street Central, Border Street South and East Boston Shipyard planning units. In accordance with 301 CMR 25.00, the designation report was noticed in the December 22, 2021 edition of the *Environmental Monitor*, the Boston Globe and El Mundo, with a public hearing on January 11, 2022 and a 30-day public comment period ending on January 21, 2022. Upon request by the Boston Planning & Development Agency (BPDA) the public comment period was extended four times, each with notice in the *Environmental Monitor*, and concluded on November 1, 2022.

This designation decision summarizes and responds to concerns and matters that were raised by commenters on the boundary designation report, and following careful consideration and analysis, formally designates the East Boston DPA boundary. On behalf of CZM, I want to thank everyone who participated in the boundary review process and acknowledge your valuable input.

II. SUMMARY OF BOUNDARY DESIGNATION REPORT

As detailed in the December 15, 2021 boundary designation report, CZM defined five planning units, forming coherent areas with groups of parcels that are delineated by shared physical, geographical, and land use characteristics. These planning units were sized and configured in a manner that allowed for consideration of all relevant factors affecting overall suitability to accommodate water-dependent industrial use.

Pursuant to 301 CMR 25.00, CZM employs a two-step review process when evaluating planning units for inclusion within a DPA boundary. The first step assesses whether planning units meet the eligibility for review criteria according to 301 CMR 25.03(2). If a planning unit meets any of the criteria, the area is not eligible for further review and the second step of the review process is not applied. For the ineligible planning units, the DPA boundary does not change. If a planning unit is not disqualified from review by any of the review criteria standards, it is eligible for review and proceeds to the second step of the review process.

The second step of the review process evaluates planning units with respect to their compliance with the designation standards for waters (301 CMR 25.04(1)) and for lands (301 CMR 25.04(2)). The designation standards for lands include four criteria governing physical suitability to accommodate water-dependent industrial use. A planning unit must exhibit all of the four criteria to remain in or be included within the DPA. If a planning unit exhibits all four of the physical suitability criteria, the DPA boundary does not change in that area. If a planning unit lacks one or more of the physical suitability criterion, the DPA boundary would change in that area and the DPA lands are removed from the DPA. For DPA areas under review that are currently outside a DPA boundary, if that planning unit exhibits all the physical suitability criteria for DPA lands and water, as applicable, the DPA boundary would change to include the area.

For the first criterion, CZM has determined that no portion of the East Boston DPA has been the subject of a designation decision under 301 CMR 25.03(2)(a) within the previous five years. Therefore, the five planning units within the DPA area under review are eligible for review based on 301 CMR 25.03(2)(a).

The criterion at 301 CMR 25.03(2)(b) states that any area that consisted primarily of water-dependent industrial use throughout the last five years is not eligible for review. As indicated in the regulations, in applying 301 CMR 25.03(2)(b), CZM considered the primary use within a given area to be the use to which a majority of the planning unit is dedicated. For this criterion, CZM considered first, whether water-dependent industrial use had occurred throughout the previous five years; and second, whether the water-dependent industrial use, if present, was the primary use for a given planning unit. Based on the review, this criterion was met by three planning units: Border Street North, Border Street Central, and East Boston Shipyard. The Border Street North and East Boston Shipyard planning units are composed primarily of water-dependent industrial uses and have been so throughout the previous five years. In the case of the Border Street Central planning unit, two water-dependent industrial uses currently operate, one of which is confirmed to have been operating

throughout the previous five years. These two water-dependent industrial uses occupy almost the entire shoreline of the planning unit, and their viability is dependent on access from Border Street across the surface parking lots within the planning unit. Access to the shoreline is codified in the special conditions of Waterways license No. 6757 for one of the parcels located between the shoreline parcels and Border Street. The use is allowed within the boundaries of the DPA as a Supporting DPA Use that provides direct economic support to water-dependent industrial use(s) within the planning unit. The Chapter 91 Waterways regulations affirm this principle, recognizing that water-dependent industrial uses are permitted to include licensable accessory and supporting commercial uses that co-occur and are compatible with water-dependent industrial uses. Accordingly, the boundary designation report determined that water-dependent industrial use is the primary use of the Border Street Central planning unit.

As a result of application of the active water-dependent industrial use criteria, the Border Street North, Border Street Central, and East Boston Shipyard were found to not meet the criterion for eligibility for review pursuant to 301 CMR 25.03(2)(b) and were not further analyzed for substantial conformance with the criteria governing physical suitability to accommodate water-dependent industrial use. The boundary of the East Boston DPA will not change in the area of the Border Street North, Border Street Central, and East Boston Shipyard planning units.

Pursuant to 301 CMR 25.03(2)(c), areas recommended for exclusion by the City or municipal body shall not be eligible for review. No areas were recommended for exclusion by the City of Boston. Therefore, the five planning units within the East Boston DPA are eligible for review based upon 301 CMR 25.03(2)(c).

Any area within a DPA that is entirely bounded by existing DPA lands or waters is ineligible for review pursuant to 301 CMR 25.03(2)(d). This criterion is intended to avoid conflict that could result from the development of incompatible uses in the middle of an otherwise substantially water-dependent industrial use area. This scenario could arise if a portion of the DPA that is otherwise completely surrounded by DPA lands is removed from the DPA. The area under review does not include any such isolated areas so this scenario is avoided. Therefore, all planning units within the DPA are eligible for review based upon the criterion at 301 CMR 25.03(2)(d).

The Border Street South and Jeffries Point planning units meet all of the eligibility criteria for review and are therefore subject to the designation criteria and analysis for inclusion in the East Boston DPA. Upon application of the designation criteria and analysis to the Jeffries Point planning unit, the Jeffries Point planning unit does not meet the use character criterion as required by 301 CMR 25.04(2)(d) because the land use character is almost entirely residential, recreational, or Massport-owned edge buffer areas. The buffer areas are a neighborhood amenity used for passive recreation and their conversion back to industrial use is not reasonably foreseeable. Similarly, the residential uses and recreational open spaces are unlikely to be removed or converted to industrial use. Further, the residential uses could be destabilized if comingled with new or expanded industrial activity. For this reason, the Jeffries Point planning unit, as well as the sections of Jeffries, Marginal, and Sumner Streets that serve these parcels, will be removed from the East Boston DPA. However, the water area adjacent

to the Jeffries Point planning unit meets the designation standards for DPA waters, so this water area will remain in the East Boston DPA.

As stated in the boundary designation report, after applying the designation criteria and analysis to the Border Street South planning unit, CZM concluded it is in substantial conformance with the suitability criteria, and therefore will remain within the DPA. To remain in the DPA, any area must include or be contiguous with other DPA lands that include a developed shoreline. A significant extent of the shoreline in the Border Street South planning unit features piers, wharves, bulkheads, and other structures, all of which allow for the berthing of vessels or withdrawal/dischARGE of water. Though water-dependent industrial uses have only intermittently been present in this planning unit since 2013, these intermittent uses have demonstrated a viable connection between land and water via a developed shoreline. The next designation criterion requires that the land area must lie in reasonable proximity to: (1) an established road or rail link that leads to a major trunk or arterial route; and (2) water and sewer facilities that can support general industrial use. This planning unit includes roadways leading to the Massachusetts Turnpike and Route 1A, which are major arterial routes as well as an internal truck access route that connects New Street to the DPA watershed. The Boston Water and Sewer Commission serves the planning unit with both water and sewer services that support general industrial use. The boundary designation report, therefore, found that the second criterion is met. Third, to be suitable to accommodate water-dependent industrial use, the land area must exhibit a topography that is generally conducive to industrial use or is reasonably capable of becoming so. Because the Border Street South planning unit generally consists of filled tidelands that are low-lying and flat, the topography of the Border Street South planning unit is generally conducive to industrial use. Finally, the land area must be predominately industrial or reasonably capable of becoming so because it does not contain a dense concentration of non-industrial buildings that cannot be converted to industrial use or non-industrial uses that would unavoidably be destabilized if commingled with industrial use. The land use character of the areas around the Border Street South planning unit is increasingly residential. The Border Street South planning unit is bounded by two relatively recent residential developments, Boston East and the Eddy, which were facilitated by amendments to the East Boston Municipal Harbor Plan¹. However, as noted in the 2003 designation decision², the DPA regulations refer to the land use character of the area within the DPA, not the area around it. Decisions on the amendment to the Municipal Harbor Plan, as well as the Waterways licenses for these residential developments, intended for this planning unit to support water-dependent industrial uses despite the increased concentration of residential uses adjacent to the DPA. Though there are some commercial uses adaptively reusing existing structures within the planning unit, the buildings themselves are industrial structures that retain features beneficial to and capable of supporting industrial uses. As a result, the Border Street South planning unit meets the use character criterion as required by 301 CMR 25.04(2)(d).

¹ <https://www.mass.gov/files/documents/2016/08/vh/east-boston-mhp-decision-part1-12-17-08.pdf>
<https://www.mass.gov/files/documents/2016/08/sz/east-boston-mhpa-decision-part2-03-04-09.pdf>

² <https://www.mass.gov/files/documents/2016/08/wt/east-boston-dpa-decision-2003.pdf>

III. RESPONSE TO COMMENTS ON THE BOUNDARY REVIEW DESIGNATION REPORT

The 76 written and three oral comments received on the boundary designation report expressed support for the proposed modifications to the East Boston DPA boundary, raised concerns with the removal of any areas from the DPA, and specifically requested to modify the DPA boundary to exclude the Border Street Central and Border Street South planning units from the East Boston DPA. Nearly a third of the comments received relating to the exclusion of the Border Street South planning unit were form letters. Other topics raised in written and oral comments included climate resiliency; affordable housing; transportation access; future opportunities for water-dependent industry; and the delineation of the Border Street Central and Border Street South planning units.

A common theme in multiple comment letters was that of the importance of incorporating climate resiliency into development within the East Boston DPA. Some comments suggested the need to leverage development within the DPA to create opportunities to block and restrict flood pathways that act as conduits for coastal waters to landward portions of East Boston. And in some cases, commenters suggested combining the implementation of flood-resilience infrastructure with publicly accessible open space within the DPA. These comments suggest that regulations governing development in DPAs do not allow for climate adaptation through resilient infrastructure. However, DPAs and increasing protection from coastal flooding, sea level rise, and storms are not mutually exclusive. In fact, the distinct infrastructure needs and functional requirements of DPA uses present unique opportunities for innovative solutions that can achieve the dual goals of DPAs and climate resiliency. Earlier this year, CZM released the report [*Building Resilience in Massachusetts Designated Port Areas*](#), which provides tailored flood resilience strategies to address coastal flood risks while continuing to support the operational needs of water-dependent industrial uses in DPAs. A few structural examples of resilience strategies within DPAs may include: backing up critical systems (e.g., emergency generator); elevating piers/wharfs; elevating structures/assets; increasing permeable structures; raising roads to act as barriers to flooding; and adding pumps, sandbags, and outfall tide gates. The report also suggests short-term approaches that are implemented within a year can help engage stakeholders, bring attention to the urgency of the issues, and build consensus around longer-term structural interventions. Structural resilience strategies such as elevated sites and linear berms along upland parcel edges can be implemented within DPAs to address coastal flood risks. DPAs are important resources for the Commonwealth, the region, and the nation, and advancing and implementing climate resilience strategies and development in these areas is critical to ensuring they may continue to function effectively. A community-based planning process like that under consideration by the City of Boston could seek to address climate vulnerabilities, plan for water-dependent industrial uses in the DPAs, and address other community needs.

Fourteen commenters expressed concern about how the Border Street South and Border Street Central planning units were delineated. As described here, DPA boundary review criteria are applied within the context of groups of parcels that form coherent planning units, rather than to individual project sites or other properties under common ownership or control. As part of the due diligence of the boundary review, different configurations of planning units were evaluated. These

alternative configurations were discarded for the Border Street Central and Border Street South planning units due to specific Waterways licensing which codifies conditions to parcels within the planning units. Additionally, the existing shape of the East Boston DPA naturally lends itself to division into planning units and specifically the Border Street North, Border Street Central, and Border Street South planning units.

Nearly one third of the comments were a form letter expressing the desire to remove the 80 and 102 Border Street parcels from the Border Street South planning unit to ultimately allow for affordable housing. As previously stated, the DPA boundary review criteria are applied to geographic areas known as planning units that are sized and configured in a manner that allows consideration of all relevant factors affecting overall suitability to accommodate water-dependent industrial use. As provided in the DPA regulations at 301 CMR 25.04(3), planning units are generally groups of parcels rather than individual parcels or properties under common ownership because, “DPA-related attributes typically vary across different parcels, such that the combined characteristics of associated parcels in the same general vicinity are not reflected accurately in the characteristics of any single property.” More specifically, the 80 and 102 Border Street sites were determined to remain within the Border Street South planning unit because the planning unit of which they are a part met each specific criterion of the designation analysis, which is the second step in the review process after determining whether the planning unit is eligible for review. Once it is determined that the eligibility criteria are met, the regulations require that the area of land reviewed under 301 CMR 25.00 shall be included or remain in a DPA if and only if CZM finds that the area is in substantial conformance with each of the four criteria governing suitability of land to accommodate water-dependent industrial use at 301 CMR 25.04(2)(a) through (d). This designation decision affirms the recommendation of the boundary designation report that the Border Street South planning unit, including 80 and 102 Border Street, meets each of the four criteria and therefore will remain in the DPA.

Several commenters expressed that the Border Street Central planning unit should have been eligible for review because it is largely comprised of commercial uses. While this planning unit does host commercial uses, it was found ineligible for review because it is predominantly comprised of active water-dependent industrial uses. Because physical and functional characteristics are such that water-dependent industrial and non-water-dependent industrial uses are frequently inter-mixed or co-occur, in the determination of whether an area is to be classified as water-dependent industrial, CZM considered the primary use of a planning unit to be that use to which a majority of that area is dedicated. The Chapter 91 Waterways regulations affirm this principle, recognizing that water-dependent industrial uses are permitted to include licensable accessory and supporting commercial uses that co-occur and are compatible with water-dependent industrial uses. Within the Border Street Central planning unit, the water-dependent industrial uses include a Supporting DPA Use, which provides an access easement across landlocked parcels to the water-dependent industrial uses along the DPA shoreline. This property is licensed under the Waterways regulations as a supporting DPA use and was authorized because it provides direct economic support to the water-dependent industrial uses within the planning unit. The viability of the water-dependent industrial uses relies on access from Border Street across the surface parking lots within the planning unit. As such, and consistent with past DPA designation decisions, this parcel was included in the eligibility criteria for whether the

Border Street Central planning unit is considered predominantly water-dependent industrial. And finally, despite the questions regarding the licensing and ownership of the vessel dismantling operation on the shoreline, it is in active use, demonstrating the area has the capacity to support water-dependent industry. As a result of this, the area does not meet the criterion for eligibility for review pursuant to 301 CMR 25.03(2)(b).

Even if CZM agreed that the Border Street Central planning unit was eligible for review, it would not result in removal of this area from the DPA. Were the designation criteria to be applied, the Border Street Central planning unit would be in substantial conformance with the criteria governing suitability to accommodate water-dependent industrial use. (1) The planning unit has a shoreline that has been substantially developed with piers, wharves, and bulkheads that establish a functional connection with the watershed. (2) The land area is suitable for industrial use with connections to transportation networks and utilities. The planning unit lies in reasonable proximity to major arterial routes, namely the Massachusetts Turnpike and Route 1A. Additionally, the Boston Water and Sewer Commission serves the area with both water and sewer services that support general industrial use. (3) The planning unit exhibits a topography that is generally flat and conducive to industrial use or reasonably capable of becoming so. (4) The land use character of the planning unit is industrial or capable of becoming so because the commercial buildings on site could be removed or converted to industrial use with relative ease and the non-industrial uses are not destabilized by being commingled with industrial activity presently. To the contrary, the [Shaw's] parcel is licensed as a Supporting DPA Use which provides direct economic support to water-dependent industrial use(s) within the planning unit in accordance with the special conditions of Waterways license No. 6757.

Several comments emphasized the challenge of truck access to the DPA parcels within the Border Street Central and Border Street South planning units via New Street and Border Street. To support this concern, a transportation consultant was hired to evaluate access by WB-67 vehicles to and from the DPA from the Route 1A interchange and Porter Street (TetraTech, May 2022). The analysis concluded that there is inadequate or unsafe access for large highway vehicles (WB-67 trucks) to reach the waterfront areas of the Border Street Central and Border Street South planning units. However, the analysis also states that the grocery store within the Border Street Central planning unit regularly receives deliveries from large trucks. This indicates that the access road over the grocery store parking lot is active, functional, and able to support trucks of sizes up to WB-67. In addition, while the analysis only focused on WB-67 trucks, it noted that evidence of smaller trucks accessing the area was apparent. Although the transportation analysis highlighted specific congestion areas in the East Boston area, it did not definitively convey insurmountable operational and safety challenges of vehicle access to the DPA that would preclude access to support water-dependent industrial uses. The regulations at 301 CMR 25.04(2)(b)(1) do not require a specific level of access by specific vehicles, but only that “the land area [within the DPA] must lie in reasonable proximity to established road or rail links leading to major trunk or arterial routes”. While the large trucks may be challenged navigating congested areas of urban streets, the DPA parcels on New Street and Border Street are adjacent to and served by roadways leading to major arterial routes, namely the Massachusetts Turnpike and Route 1A. This condition is therefore met for both the Border Street Central and Border Street South planning units.


There were 17 form letters that opposed the boundary designation report recommendation that maintains the existing DPA Boundary in the area of the Border Street South and Border Street Central planning units and requested to remove these planning units from the DPA. These commenters expressed concern that preserving the DPA boundary in these areas limits other business opportunities from thriving. In fact, the purpose of the DPA boundary review and any resulting modifications is to strengthen Boston's working port and water-dependent industry by continuing to preserve lands and waters if they possess the ability to provide areas for water-dependent industry. There was also a sentiment that the Border Street Central and Border Street South planning units should not continue to be restricted to marine industrial uses when the areas have not recently supported successful water-dependent industrial business operations. This characterization is inaccurate, as demonstrated by the presence of water-dependent industrial uses currently and in the recent past in each area. Moreover, the lack of maritime industry within a planning unit is not justification to modify the DPA boundary on its own. In order for the DPA boundary to be modified, the area under review must be eligible for review and must not meet the designation standards for DPA lands and waters. As discussed, Border Street Central is not eligible for review and Border Street South meets the designation criteria. Further, the DPA boundary review and regulatory framework do not authorize any future use, specific redevelopment, or other elements of future redevelopment - these matters are the subject of other jurisdictions, authorities, and review. The DPA program seeks to preserve and enhance the capacity of the DPAs to accommodate existing and future water-dependent industrial uses. Preserving eligible land and water areas is critical to supporting the long-term sustainability of water-dependent industrial industry in the Commonwealth.

Comments from the Mayor and the City of Boston's Planning and Development Agency (BPDA) advocated for the need to reimagine the East Boston waterfront and modify the DPA boundary to accommodate uses that would meet the needs of the local community and the City including affordable housing, commercial development, climate resilient infrastructure and public access. CZM applauds the inclusive local planning processes which have engaged local residents and stakeholders in visioning a future for the waterfront that could include these uses. CZM anticipates working with the City in upcoming planning process to consider how these uses can be accommodated within the East Boston neighborhood while also continuing to support the water-dependent industrial demands of the area and the Commonwealth.

IV. DESIGNATION DECISION

In conclusion, effective today, I affirm the findings and proposed boundary modifications of the December 15, 2021 *Boundary Review of the East Boston Designated Port Area, Boston, MA* designation report and hereby determine that, pursuant to 301 CMR 25.03(6), the East Boston DPA boundary shall be modified, such that the Jeffries Point planning unit, as well as the sections of Jeffries, Marginal, and Sumner Streets that serve these parcels, will be removed from the East Boston DPA. However, the water area adjacent to this planning unit will remain in the East Boston DPA. As each DPA boundary review is based upon the characteristics of the areas of land or water under review, the conclusions of this decision are unique to the portions of the East Boston DPA subject to this boundary review.

The resulting total area of the East Boston DPA subject to this review decreases from 97.18 acres to 88.57 acres. The new boundary of the East Boston DPA is depicted on the attached map, described in the attached boundary description, and available in electronic format from CZM.



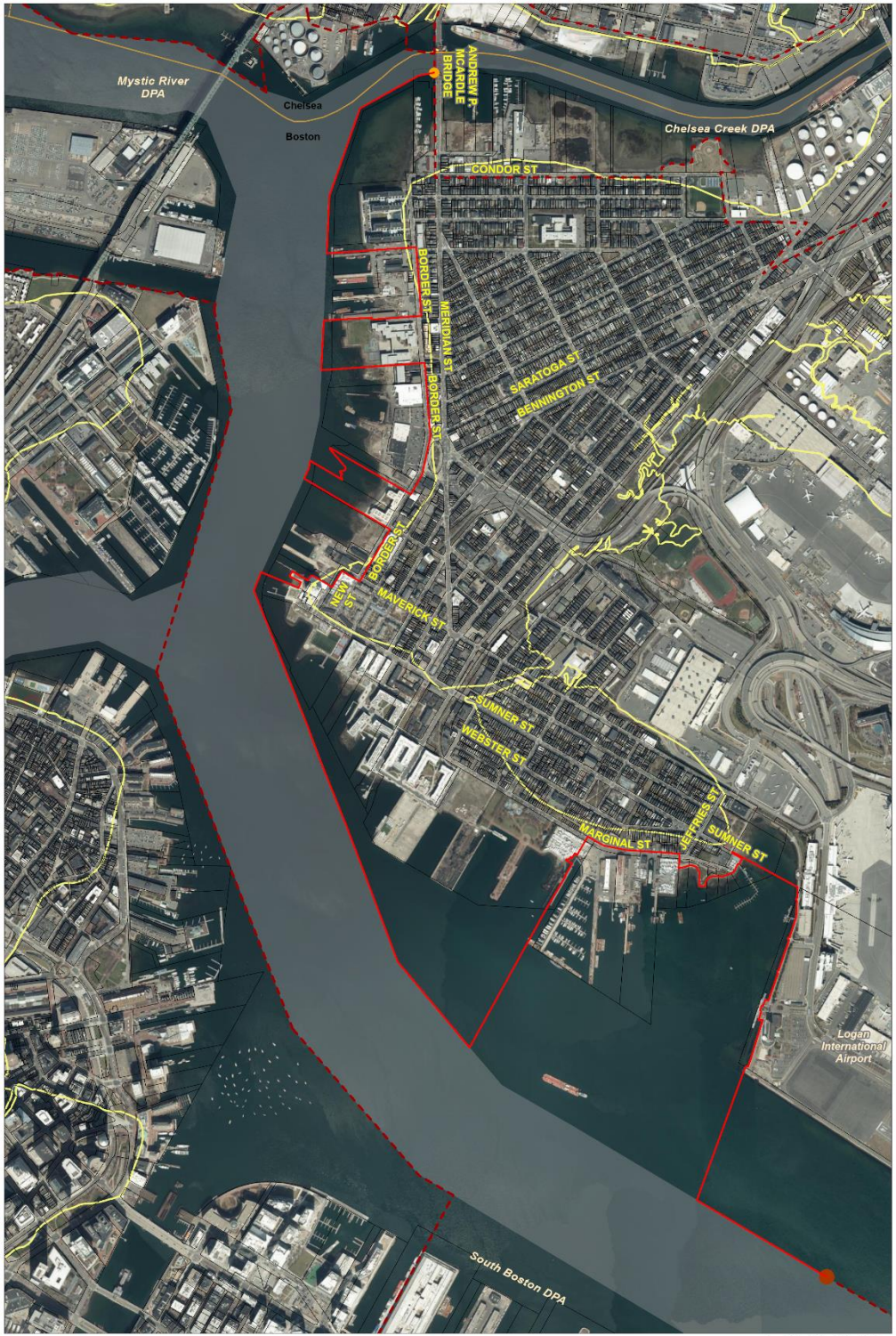
Lisa Berry Engler, Director



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East Boston Designated Port Area (DPA)

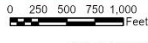
For planning purposes only. In the event of conflict between this map and the accompanying written description, CZM shall issue a written clarification pursuant to the Designated Port Area (DPA) regulations at 301 CMR 25.00.



- Point of Beginning
- Point of Ending
- Chapter 91 Presumptive Line
- Municipal Boundary
- Assessor's Parcel
- Adjacent DPA Boundary



Base map: MassGIS Color Ortho Imagery, 2021.
 Map coordinate system: North American Datum of 1983,
 Massachusetts State Plane Coordinate System,
 Mainland Zone (FIPS zone 2001), meters.



December 2022

East Boston Designated Port Area

An area of land and water within Boston Harbor and located in the municipality of (East) Boston in the Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the westerly line of the Andrew P. McArdle Bascule Bridge formed by the intersection of the easterly line of Parcel 0103680001ⁱ and the southerly line of the federal navigation channelⁱⁱ in the municipality of Boston;

Thence westerly along the southerly line, southwestly along the southeasterly line, and southerly along the easterly line of the federal navigation channelⁱⁱ to the intersection of said line and the westerly projection of the northernmost line of Parcel 0103676001;ⁱ

Thence easterly along the westerly projection of the northernmost line of Parcel 0103676001ⁱ and continuing along the northernmost line of said parcel to the intersection of the easterly projection of said line and the easterly line of Border Street;

Thence southerly along the easterly line of Border Street to the intersection of said line and the easterly projection of the southerly line of Parcel 0103671000;ⁱ

Thence westerly along the easterly projection of the southerly line of Parcel 0103671000ⁱ and continuing along the southern boundary of said parcel to the intersection of the westerly projection of said line and the easterly line of the federal navigation channel;ⁱⁱ

Thence southerly along the easterly line of the federal navigation channelⁱⁱ to the intersection of said line and the westerly projection of the southerly line of Parcel 0103668000;ⁱ

Thence easterly along the westerly projection of the southerly line of Parcel 0103668000ⁱ and continuing along the southerly line of said parcel to the intersection of the easterly projection of said line and the easterly line of Border Street;

Thence southerly along the easterly line of Border Street to the intersection of said line and the southeasterly projection of the northeasterly line of Parcel 0105414000;ⁱ

Thence northwesterly along the southeasterly projection of the northeasterly line of Parcel 0105414000ⁱ and continuing along the northeasterly line of said parcel to the northerly corner of said parcel;

Thence generally southerly along the northwestern boundary of Parcel 0105414000ⁱ to the intersection of said line and the northeasterly line of Parcel 0105413000;ⁱ

Thence northwesterly along the northeasterly line of Parcel 0105413000ⁱ to the intersection of the northwesterly projection of said line and the easterly line of the federal navigation channel;ⁱⁱ

Thence southerly along the easterly line of the federal navigation channelⁱⁱ to the intersection of said line and the northwesterly projection of a line constructed parallel to and approximately 10 feet northeasterly of the northeasterly line of Parcel 0105412003;ⁱ

Thence southeasterly along the northwesterly projection of a line constructed parallel to and approximately 10 feet northeasterly of the northeasterly line of Parcel 0105412003ⁱ to the intersection of the southeasterly projection of said line and the southeasterly line of Border Street;

Thence southwesterly along the southeasterly line of Border Street to the intersection of the southwesterly projection of said line and the southwesterly line of Maverick Street;

Thence northwesterly along the southwesterly line of Maverick Street to the intersection of the northwesterly projection of said line and the southeasterly line of New Street;

Thence southwesterly along the southeasterly line of New Street to the intersection of said line and the southeasterly projection of the northeasterly line of Parcel 0105410000;ⁱ

Thence northwesterly along the southeasterly projection of the northeasterly line of Parcel 0105410000ⁱ and continuing northwesterly along the northeasterly line, westerly along the northerly line, and southwesterly along the northwesterly line of said parcel to the intersection of said line and the northeasterly line of Parcel 0105409000;ⁱ

Thence northwesterly along the northeasterly line of Parcel 0105409000ⁱ to the intersection of said line and the shoreline;ⁱⁱⁱ

Thence southwesterly, southeasterly, and southwesterly along the shorelineⁱⁱⁱ to the intersection of said line and the northeasterly line of Parcel 0105408000;ⁱ

Thence northwesterly along the northeasterly line of Parcel 0105408000ⁱ to the intersection of the northwesterly projection of said line and the easterly line of the federal navigation channel;ⁱⁱ

Thence southerly along the easterly line of the federal navigation channelⁱⁱ to the intersection of said line and the southwesterly projection of the southeasterly side of the existing piling pier, formerly shown as Pier 5 on the 46th edition of National Oceanic and Atmospheric Administration (NOAA) Chart #13272^{iv} (dated April 15, 2000) and as shown on the Massachusetts Office of Geographic Information (MassGIS) ortho imagery;^v

Thence northeasterly along the southwesterly projection of the southeasterly side of the existing piling pier, formerly shown as Pier 5 on the 46th edition of NOAA Chart #13272^{iv} (dated April 15, 2000) and as shown on the MassGIS ortho imagery,^v to the southeasterly corner of said pier;

Thence northeasterly along the southeasterly side and northwesterly along the northeasterly side of the existing piling pier, formerly shown as Pier 5 on the 46th edition of NOAA Chart #13272^{iv} (dated April 15, 2000) and as shown on the MassGIS ortho imagery,^v to the intersection of said pier and the shoreline;ⁱⁱⁱ

Thence generally northeasterly along the shoreline,ⁱⁱⁱ including the small cove, to the intersection of said shoreline and the southwesterly projection of the southeasterly line of Parcel 0104684000;ⁱ

Thence northeasterly along the southwesterly projection of the southeasterly line of Parcel 0104684000ⁱ to the intersection of said line and the northerly line of Marginal Street;

Thence easterly along the northerly line of Marginal Street to the intersection of said line and the southeasterly corner of Parcel 0104669000;ⁱ

Thence southerly crossing Marginal Street by a straight line to the northwesterly corner of Parcel 0104442000;ⁱ

Thence southerly along the westerly line of Parcel 0104442000;ⁱ to the intersection of said line and the shoreline;ⁱⁱⁱ

Thence generally easterly along the shoreline,ⁱⁱⁱ to the intersection of said shoreline and the northwesterly line of Parcel 0104420000ⁱ at approximate location N42°21'50.6" W71°01'43.0";

Thence northeasterly along the northwesterly line of Parcel 0104420000ⁱ to the intersection of said line and the southwesterly line of Parcel 0104419000;ⁱ

Thence southeasterly along the southwesterly line of Parcel 0104419000ⁱ and thence to the intersection of the southeasterly projection of the southwesterly line of Parcel 0104419000 and the armored shorelineⁱⁱⁱ on the westerly side of the Massachusetts Port Authority's (Massport) Logan International Airport;

Thence generally southerly along the westerly armored shorelineⁱⁱⁱ of Massport's Logan International Airport and around the Logan Airport Ferry Terminal pier and wharf, as shown on the MassGIS ortho imagery,^v to the southwesterly corner of said armored shoreline;

Thence southerly along the southerly projection of the westerly armored shorelineⁱⁱⁱ of Massport's Logan International Airport to the intersection of said line and the northeasterly line of the federal navigation channelⁱⁱ located at approximate coordinates N42°21'16.5" W71°01'48.0", NAD83;

Thence southeasterly along the northeasterly line of the federal navigation channelⁱⁱ to the point of ending coincident with the point of beginning of the South Boston Designated Port Area Boundary, located at the intersection of said line and a line projected due south from Navigation Buoy 29ⁱⁱ (W Or "29" Fl 4s at approximate coordinates N42°21'20.4" W71°01'30.8", NAD83) at approximate coordinates N42°21'08.9" W71°01'30.8", NAD83.

The above described East Boston Designated Port Area is shown generally on a plan entitled: "East Boston Designated Port Area (DPA)," Scale: 1" = 900' +/-, Prepared by: Massachusetts Office of Coastal Zone Management, 251 Causeway Street, Suite 800, Boston, MA 02114, Date: March 2011.

Please note: In the event of conflict between this written description and the accompanying map, CZM shall issue a written clarification pursuant to the Designated Port Area (DPA) regulations at 301 CMR 25.00.

ⁱ The City of Boston Assessor's parcel data were extracted from the Massachusetts Office of Geographic Information (MassGIS) Assessors' Parcels data layer, which is a collection compiled by MassGIS of digital parcel data that were provided by municipalities and regional planning agencies. The data were last updated for Boston in 2003 and were accessed March 10, 2010, from the MassGIS website (<http://www.mass.gov/mgis/parcels.htm>). Please note: These data were used for planning purposes only and should not be used for, and are not intended for, survey and engineering purposes. The data do not take the place of a legal survey or other primary source documentation.

ⁱⁱ U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), Office of Coast Survey (OCS). *Boston Inner Harbor* [nautical chart]. 50th ed. 1:10,000. Chart #13272. Washington, D.C.: DOC, NOAA, NOS, OCS, Aug. 2008.

ⁱⁱⁱ Refers to the present mean high water shoreline. See M.G.L. c. 91: Public Waterfront Act; 310 CMR 9.00: Waterways Regulations.

^{iv} U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), Office of Coast Survey (OCS). *Boston Inner Harbor* [nautical chart]. 46th ed. 1:10,000. Chart #13272. Washington, D.C.: DOC, NOAA, NOS, OCS, Apr. 15, 2000. Online. OCS Historical Map and Chart Collection. Available at: http://historicalcharts.noaa.gov/historicals/historical_zoom.asp (accessed Aug. 20, 2009).

^v MassGIS. "1:5,000 Color Ortho Imagery" [aerial photograph]. 1:5,000. Boston, MA: MassGIS, Apr. 2001. Available at: <http://www.mass.gov/mgis/colororthos2001.htm>.