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Subject:	Opposition to including current Municipal Harbor Plans into DEP Regulations
Date:	Friday, August 6, 2021 7:10:17 PM

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August 6, 2021

DEP.Waterways@mass.gov
Daniel Padien
Waterways Program Chief
Department of Environmental Protection
1 Winter St. 5th fl. Boston, MA
RE: Comments on DEP proposed regulations regarding Municipal Harbor plans

Dear Mr. Padien,

I'm writing to oppose the wholesale adoption by the Department of Environmental of the Municipal Harbor Plans without appropriate vetting and compliance under Chapter 91. I write as President of the Constellation Wharf Board of Managers, Pier 7 in the Charlestown Navy Yard. My reasons include:

- The adoption of the Municipal Harbor Plans by the Secretary of EOEA was determined by the Court to be beyond the authority of the Secretary's authority under the DEP regulations
- The MHPs for Boston and Charlestown in particular are outdated and do not take into account present climate realities of rising sea levels. The Charlestown MHP was adopted in 1991.
- Boston Climate Action initiative needs to be conducted before any municipal harbor planning can proceed
- The Seaport District is a primary example of development that was created by the MHP for Boston and was an abdication of the DEP in its charge to protect the public access to the waterfront under Chapter 91.
- The MHPs, and specifically Charlestown Navy Yard MHP, are outdated and fail catastrophically to protect the public's rights preserved in Chapter 91 to access to the waterfront and more especially the Boston Waterfront
- Public officials and Mayoral candidates have recognized that the existing Municipal Harbor Plans are outmoded, antiquated and fail to recognize climate change affecting Boston
- The Municipal Harbor Plans should be excluded from regulations to allow Boston to create a process that reflects the needs and desires of its citizens
- The DEP must reject the MHPs for Boston and more specifically the Charlestown Navy Yard in favor of a more citizen centric process for the Boston Waterfront and exclude short sighted privatization. A prime example is the BPDA's proposed development of the Navy Yard Pier 5.
- The Municipal Harbor Plans to not account for climate change and climate resilience
- The Municipal Harbor Plans are outdated and will wall off the City from the harbor, limit access, reduce green open space and prevent the use of the waterfront for parks recreation and education. The BPDA's RFP to develop Pier 5 in the Charlestown Navy Yard is again a prime example where the waterfront is exploited for private for-profit purpose at the expense of public access, preservation and environmental protection.

For all these reasons, the Municipal Harbor Plans for Boston Harbor and more specifically the plan of

the Charlestown Navy Yard should not be included summarily into the Department of Environmental Protection (DEP) regulations.

Gerald H. Angoff, MD MBA
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