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To: Waterways, DEP (DEP)
Cc: mayor@boston.gov; kim.janey@boston.gov
Subject: Downtown Municipal Harbor Plan
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As a resident of Boston, I am submitting my comments regarding the review of the Downtown Municipal Harbor Plan. The MHP is old and outmoded and does not take into account all of the construction around the harbor in the last 20 years. It fails to preserve access to our waterfront for public use as is required by Chapter 91. It appears that none of the current MHPs in effect throughout the Commonwealth have been through the appropriate and legally required steps for approval under mandated DEP processes.

Importantly, the Downtown MHP does not take into account rising sea levels or storm protections necessary for climate resilience. The Climate Ready Boston resilience study has not yet been completed. Most of the land abutting Boston Harbor is filled land and as such is at much more risk than average. Any action to move forward with any proposed development is completely premature and does not properly protect the waterfront.

Public access is our statutory right and that is why we have the DEP. For them to end run this by just putting it into the regulations without each project proposed being separately evaluated and some overall comprehensive criteria developed is a violation of our rights as citizens and taxpayers.

It should not receive a rubber stamp approval. We have learned too much about the impacts of climate change and rising tides and that constructing massive buildings along the Boston Harbor is a recipe for future disaster. Please look to other, more-forward thinking cities that put density away from the water's edge leaving the open space free for residents of the city to enjoy. Many other waterfront cities employ "retreating" where buildings are built away from the waterfront as one answer to the issue of rising tides and storm surges.

Further, continued focus on issues of social justice and access to open space and the waterfront for all should open up this review process for more public comment and certainly more emphasis as to the intent of M.G. L. Chapter 91. This law's intent seems to be negated by the current Downtown Municipal Harbor Plan and a new Harbor Plan should be developed with the tenets of Chapter 91 in mind. Either Chapter 91 and its intent is valid or it is not. Municipal Harbor Plans have long given politicians and developers, not the people, the power to dominate and wall off precious waterfront properties from all residents. Unfortunately, we have seen all too often how MHPs have allowed most of Boston's waterfront to be privatized, severely limiting public access. If Chapter 91 contains limits on development, how did the Seaport happen?

The funding for the clean up of Boston Harbor came out of the pockets of the ratepayers and tax payers of Boston and surrounding communities. The benefits of this costly but successful

clean up has accrued to private developers far more than the citizens at large who funded this successful outcome.

It is not just the Downtown Municipal Harbor Plan that should be put under careful review but all of the Harbor Plans in effect throughout the Commonwealth. Specifically, hasn't the Charlestown Harbor Plan expired many years ago?

As an example, Pier 5 which sits entirely over flowed tidelands is subject to an RFP by the BPDA and three proposals for residential development have been received. There are already numerous dense projects planned throughout most of Charlestown and Pier 5 should remain as a respite for all from urban life. While it is encouraging that so many are engaged in planning equitable and inclusive access to the waterfront and Boston Harbor, we should not promote projects that permanently wall off opportunity to create attractive, innovative and educational programming for all citizens to enjoy along Boston's shores. Density should be put where it makes the most sense; not in a location susceptible to rising tides and storm surges. Pier 5 can stand as an example of smart public planning and urban renewal.

I participated in one of the Zoom calls that was held for public comment. Not one voiced weighed in to support what is being proposed. The Mayoral Candidates and City Councilors who spoke all concurred that the Municipal Harbor Plans for the City of Boston should not be made part of DEP regulations. We should be protecting publicly accessible and precious open space along the Harbor to bring all the city's inhabitants together for the enjoyment of the waterfront. Now is the time to think big about equity, environmental justice and preservation and to foster access for all generations to come. It is shortsighted to wall off Harbor access from Bostonians. We should be encouraging everyone to experience the openness, beauty and tranquility that our magnificent Harbor has to offer — to everyone. In summary, I request that MassDEP remove the Downtown Municipal Harbor Plan from its proposed amendment to 310 CMR 9.00.

Thank you.
Kathy Elliott
Resident of Charlestown Navy Yard